SENATE JOURNAL

OF THE FIRST LEGISLATURE

OF THE

STATE OF WASHINGTON

BEGUN AND HELD AT OLYMPIA, NOVEMBER 6, 1889.

Adjourned *sine die* March 28, 1890.

OLYMPIA, WASH.:
O. C. WHITE, STATE PRINTER.
1890.

OFFICERS OF THE SENATE.

PRESIDENT:

LIEUTENANT-GOVERNOR CHAS. E. LAUGHTON,

CONCONULLY.

PRESIDENT PRO TEMPORE:

W. J. PARKINSON,

WHATCOM.

SECRETARY:

CLARENCE M. BARTON,

TACOMA.

Assistant Secretary	J. W. Romaine.
Assistant Clerk	Miss Fannie Troup.
Assistant Clerk	Mrs. Fannie P. Gage.
Journal Clerk	M. T. Crawford.
Enrolling Clerk	Mrs. Isabella Lampkin.
Engrossing Clerk	James G. McClinton.
Sergeant-at-Arms	Harry A. Clarke.
Assistant Sergeant-at-Arms	John N. Conna.
Messenger and Postmaster	Harry D. Cowles.
Janitor	Asbury F. Haynes.
Assistant Janitor	J. A. Clarendon.
Watchman	Anson Burlingame.
Porter	James H. Orr.
Page	Willie Hagemeyer.
Page	G. Avery Reed.

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JOURNAL OF THE SENATE.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, November 6, 1889.
12 o'clock M.

The members of the first Senate of the State of Washington, elected October 1st, 1889, met in the Senate chamber at 12 M. on Wednesday, November 6th, and were called to order by Francis Henry, chief clerk of the last Territorial Council. He introduced Lieutenant-Governor-elect Charles E. Laughton, who took the chair as temporary presiding officer. C. M. Barton, of Pierce county, was elected temporary secretary. Senators Kinnear, Owings and Parkinson were appointed a Committee on Credentials, and requested to report as soon as practicable. The Senate then on motion adjourned until 12 M. Thursday, November 7th.

Those present at the above meeting were: Senators C. G. Austin, Sixth District; John S. Baker, Eighteenth District; L. B. Clough, Twelfth District; Henry Drum, Eighteenth District; H. W. Fairweather, Third District; A. T. Fariss, Fifth District; C. E. Forsyth, Thirteenth District; O. D. Guilfoil, Nineteenth District; H. E. Houghton, First District; Jacob Hunsaker, Eleventh District; E. B. Hyde, Second District; J. H. Jones, Nineteenth District; J. R. Kinnear, Nineteenth District; W. H. Kneeland, Twentieth District; Henry Landes, Twenty-first District; J. C. Lawrence, Fifth District; J. H. Long, Fourteenth District; F. H. Luce, Fourth District; N. H. Owings, Sixteenth District; Platt A. Preston, Eighth District; Henry Payne, Twenty-third District; W. J. Parkinson, Twenty-fourth District; W. V. Rinehart, Nineteenth District; B. W. Seaborg, Fifteenth District; L. F. Thompson (of Pierce), Eighteenth District; George T. Thompson (of Walla Walla), Eighth District; Samuel Vestal, Twenty-second District; B. C. Van Houten, Second District; Alexander Watt, Second District; E. T. Wilson, Tenth District; John T. Whalley, Fifth District; H. H. Wolfe, Seventh

District; W. D. Wood, Nineteenth District; C. T. Wooding, Seventeenth District.

Absent: J. M. Snow, Fourth District, who was, on motion of Mr. Fairweather, granted indefinite leave of absence.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, November 7, 1889.
12 o'clock M.

The first Senate of Washington met pursuant to adjournment at 12 M. in the Senate chamber, Lieutenant-Governor Laughton in the chair.

The Committee on Credentials, by its chairman, J. R. Kinnear, presented a report as follows:

TERRITORY OF WASHINGTON,
SECRETARY'S OFFICE,
OLYMPIA, November 5, 1889.

I, O. C. White, secretary of the Territory of Washington, do hereby certify that the following named persons were elected members of the Senate of the Legislature of the State of Washington, at the general election, held October 1, 1889, as shown by the election returns of said election, now on file in this office:

H. E. Houghton, Alexander Watt, E. B. Hyde, B. C. Van Houten, H. W. Fairweather, F. H. Luce, J. C. Lawrence, J. T. Whalley, A. T. Fariss, C. G. Austin, H. H. Wolfe, George T. Thompson, Platt A. Preston, J. M. Snow, E. T. Wilson, Jacob Hunsaker, L. B. Clough, C. E. Forsythe, J. H. Long, B. A. Seaborg, N. H. Owings, C. T. Wooding, John S. Baker, L. F. Thompson, H. Drum, W. D. Wood, J. H. Jones, O. D. Guilfoil, J. R. Kinnear, W. V. Rinehart, W. H. Kneeland, Henry Landes, Samuel Vestal, Thomas Payne, W. J. Parkinson.

In testimony whereof I have hereunto set my hand and affixed the great seal of said territory, at Olympia, this 5th day of November, A. D. 1889. [Signed] O. C. WHITE,

[SEAL.] Secretary.

The roll of members was then called, and all responded present except Senators Kneeland and Snow.

On motion of Senator J. H. Long, Secretary O. C. White, of the Territory, was requested to administer the oath of office to the members-elect, which was done with the exception of Messrs. Kneeland and Snow. The oath was also administered by Secretary White to Presiding Officer pro tem. Laughton.

Senator Fairweather moved that a committee of five be appointed on organization, which was agreed to by a divisional vote of 23 in the affirmative, and the following named Senators were appointed by the president: Fairweather, Luce, Hyde, Guilfoil, and Wilson.

Senator Kinnear moved that a committee of three on temporary rules be appointed. Adopted, and the president appointed Senators Kinnear, Kneeland and Thompson (L. F.) as said committee. The oath of office was then administered to Senator Kneeland by Presiding Officer Laughton.

Senator Houghton moved to adjourn until Friday, November 8th, at 12 M.

Senator Preston moved an amendment to strike out "Friday at 12 M." and insert "Monday, November 11th, at 1 o'clock P. M."

Senator Wilson moved a further amendment to insert "recess" instead of "adjournment." Both amendments were accepted by Senator Houghton, and the Senate, by a divisional vote of 21 in the affirmative, adjourned until Monday, November 11th, at 1 o'clock P. M. The secretary pro tem. was instructed by the presiding officer to notify the House of Representatives of said action.

AFTERNOON SESSION.

SENATE CHAMBER.
OLYMPIA, WASHINGTON, November 11, 1889.
1 o'clock P. M.

The Senate was called to order pursuant to adjournment at 1 o'clock P. M. by Temporary President Charles E. Laughton.

Roll call; all present except Senators Landes and Snow. The president asked leave of absence for one day for Senator Landes, which was granted.

The minutes of the previous meeting were read and approved.

Senator Fairweather from the Committee on Organization submitted the following report:

MR. PRESIDENT:

Your committee appointed to submit a plan of organization for the Senate beg leave to report that they have considered the matter, and submit the following:

That the Senate elect by vote the following named officers:

One secretary at a salary of $6 per diem.

One assistant secretary at a salary of $5 per diem.
One journal clerk at a salary of $5 per diem.
One engrossing clerk at a salary of $5 per diem.
One enrolling clerk at a salary of $5 per diem.
One sergeant-at-arms at a salary of $6 per diem.
One assistant sergeant-at-arms at a salary of $5 per diem.
One messenger at a salary of $3 per diem.
One porter at a salary of $2.50 per diem.
Two copy clerks at a salary of $3.50 per diem.
Six committee clerks at a salary of $5 per diem.
Two pages at a salary of $2.50 per diem.
One watchman at a salary of $2.50 per diem.

And we further recommend that the presiding officer of the Senate be authorized to appoint one page, who shall receive a compensation of $2.50 per diem.

Your committee would have recommended the appointment of a chaplain, but a controversy has arisen, which the committee has been unable to decide by a unanimous vote, whether or not the eleventh section of the declaration of rights in the constitution, which prohibits the appropriation of money to any religious exercise, prohibits the legislature from providing a compensation for chaplain. Therefore, your committee have decided to leave the question of the chaplain to be decided by the Senate.

We also recommend the election of a president pro tem., to serve without any compensation except his pay as a member.

We also recommend that the messenger be designated to act as postmaster. Respectfully submitted.

[Signed] H. W. FAIRWEATHER, Chairman,
F. H. LUCE,
E. T. WILSON,
O. D. GUILFOIL,
E. B. HYDE.

Dated, Olympia, November 11, 1889.

Senator Kinnear moved the adoption of the report.

Senator Long moved to strike out $6 per diem as compensation for the secretary and insert $8.

Senator Thompson (George T.) moved to substitute $10 for $6.

The yeas and nays were called on the latter motion, all voting in the negative but Thompson (George T.), who voted in the affirmative. Absent, Landes and Snow; 32 in negative, 1 in affirmative.

On Mr. Long's motion to strike out $6 and insert $8, the yeas and nays were called, and resulted as follows:

Yeas: Austin, Clough, Drum, Fariss, Houghton, Jones, Long, Owings, Preston, Payne, Parkinson, Rinehart, Seaborg, Thompson (George T.), Whalley, Wolfe, Wood, Wooding — 18.

Nays: Baker, Fairweather, Forsyth, Guilfoil, Hunsaker, Hyde, Kinnear, Kneeland, Lawrence, Luce, Thompson (L. F.), Vestal, Van Houten, Watt, Wilson — 15.

The amendment of Senator Long was agreed to.

Senator Long moved that the salary of $2.50 per diem named for the watchman be stricken out and $3.50 per diem inserted, which was adopted.

Senator Owings moved that the engrossing and enrolling clerks mentioned in the committee's report be left out for the present.

Senator Rinehart moved to amend by eliminating the committee clerks from the report and the committees be allowed to select their own clerks.

Adopted by a divisional vote of 20 in the affirmative, and the report as amended was adopted.

Senator Kinnear, from the committee on temporary rules, presented the following report:

MR. PRESIDENT:

Your special committee on temporary rules beg leave to recommend the adoption by the Senate of the rules and orders of the late Constitutional Convention, so far as applicable, as the temporary rules of this body, a copy of which rules are herewith submitted.

[Signed] J. R. KINNEAR.
L. F. THOMPSON,
W. H. KNEELAND.

Senator Rinehart moved that the report be adopted.

Senator Houghton moved to amend that 300 copies of the rules be printed for use of the members.

The reading of the rules of the late Constitutional Convention was then called for, and upon the secretary reaching the thirty-fourth rule, Senator Whalley moved that the further reading be dispensed with. Adopted.

Senator Wilson moved to further amend "that the rules of the Territorial Council of 1887 be substituted in place of the report of the committee."

Senator Whalley moved to further amend "that Cushing's Manual be adopted as the temporary rules of the Senate." Senator Houghton having withdrawn his amendment, the amendment of Senator Whalley was agreed to and the report as amended was adopted.

Senator Kinnear moved that the Senate proceed to elect the officers recommended by the report. Adopted.

Senator Owings moved to take a recess for fifteen minutes, which was agreed to, and at 2 o'clock the Senate took such recess.

Upon reassembling the pending motion of Senator Kinnear was adopted, the chair appointing Messrs. Kinnear, Baker and Fariss as tellers.

Senator Austin moved that a committee of five be appointed to examine the various applicants for the positions of engrossing and enrolling clerks as to their competency to discharge those duties. Adopted. Messrs. Austin, Wood, Wilson, Parkinson and George T. Thompson were appointed said committee by the chair.

Senator Rinehart nominated C. M. Barton of Pierce county for the position of secretary of the Senate. There being no other nominations, on motion of senator Parkinson Mr. Barton was unanimously declared elected.

For assistant secretary, Senator Luce nominated J. W. Romaine of Okanogan county, Senator Vestal nominated J. M. Hays of King county, Senator Hunsaker nominated R. B. Milroy of Yakima county.

The tellers reported the ballot as follows: Romaine, 21; Hays, 6; Milroy, 6; 33 votes cast; necessary for choice, 17.

Mr. Romaine was declared elected by the president.

For journal clerk, Senator Kneeland nominated A. J. Taylor of Mason, Senator Parkinson nominated M. T. Crawford of Whatcom.

The tellers reported the ballot as follows: Crawford, 23; Taylor, 10; 33 ballots cast; necessary to choice, 17.

The chair declared Mr. Crawford elected.

For sergeant-at-arms, Senator Van Houten nominated H. A. Clarke of Spokane Falls.

There being no other nominations, Mr. Clarke was, on motion of Senator George T. Thompson, declared unanimously elected sergeant-at-arms.

For assistant sergeant-at-arms, Senator Wood of King nominated R. B. Stewart of King, Senator Houghton of Spokane and Stevens nominated Asbury F. Haynes of Jefferson. Senator Parkinson of Whatcom nominated John N. Conna of Pierce.

The tellers reported the ballot as follows: Conna, 17; Haines, 10; Stewart, 6; 33 ballots cast; necessary to a choice, 17.

John N. Conna was declared elected by the president.

For messenger and postmaster, Senator Wilson nominated

Harry Cowles of Thurston, Senator Rinehart nominated J. W. Orr of King.

The tellers reported 33 ballots cast, of which Cowles received 23 votes, and Orr 10 votes.

The president declared Mr. Cowles elected messenger and postmaster.

For porter there was but one nominee, J. W. Orr of King county, who was elected unanimously.

For the two copying clerks, Senator Clough nominated Miss Fannie Troup of Clarke, Senator Fairweather nominated Mrs. Fannie P. Gage of Thurston, Senator Rinehart nominated Mrs. Isabella Lampkin of Walla Walla. Mrs. N. R. Deane of Thurston was also named.

Pending these nominations the clerk of the House of Representatives appeared with the communication that the House was organized and ready for business.

On motion of Senator Fairweather the oath of office was administered to Sergeant-at-Arms H. A. Clarke, and he entered on the duties of his office.

The tellers reported the result of the ballot for the two copying clerks as follows: Thirty-three votes cast; necessary to a choice, 17, of which Miss Troup received 24; Mrs. Gage, 19; Mrs. Deane, 11; Mrs. Lampkin, 12.

Miss Troup and Mrs. Gage were declared elected copying clerks.

For the two pages, Senator Kinnear nominated Willie Hagermeyer of Thurston, Senator Drum nominated G. Avery Reed of Thurston.

They were elected by acclamation.

For watchman, Senator Long nominated Anson Burlingame of Lewis, Senator Forsythe nominated Levi Summers of Cowlitz, Senator Hyde nominated P. J. Waters of Spokane, Senator Houghton nominated William Hollenbush of Stevens.

Pending these nominations the clerk of the House appeared and read the following communications, which were placed on record:

HOUSE OF REPRESENTATIVES,
OLYMPIA, October 11, 1889.

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has permanently organized by the election of the following named officers:

Senator Owings moved to take a recess for fifteen minutes, which was agreed to, and at 2 o'clock the Senate took such recess.

Upon reassembling the pending motion of Senator Kinnear was adopted, the chair appointing Messrs. Kinnear, Baker and Fariss as tellers.

Senator Austin moved that a committee of five be appointed to examine the various applicants for the positions of engrossing and enrolling clerks as to their competency to discharge those duties. Adopted. Messrs. Austin, Wood, Wilson, Parkinson and George T. Thompson were appointed said committee by the chair.

Senator Rinehart nominated C. M. Barton of Pierce county for the position of secretary of the Senate. There being no other nominations, on motion of senator Parkinson Mr. Barton was unanimously declared elected.

For assistant secretary, Senator Luce nominated J. W. Romaine of Okanogan county, Senator Vestal nominated J. M. Hays of King county, Senator Hunsaker nominated R. B. Milroy of Yakima county.

The tellers reported the ballot as follows: Romaine, 21; Hays, 6; Milroy, 6; 33 votes cast; necessary for choice, 17.

Mr. Romaine was declared elected by the president.

For journal clerk, Senator Kneeland nominated A. J. Taylor of Mason, Senator Parkinson nominated M. T. Crawford of Whatcom.

The tellers reported the ballot as follows: Crawford, 23; Taylor, 10; 33 ballots cast; necessary to choice, 17.

The chair declared Mr. Crawford elected.

For sergeant-at-arms, Senator Van Houten nominated H. A. Clarke of Spokane Falls.

There being no other nominations, Mr. Clarke was, on motion of Senator George T. Thompson, declared unanimously elected sergeant-at-arms.

For assistant sergeant-at-arms, Senator Wood of King nominated R. B. Stewart of King, Senator Houghton of Spokane and Stevens nominated Asbury F. Haynes of Jefferson. Senator Parkinson of Whatcom nominated John N. Conna of Pierce.

The tellers reported the ballot as follows: Conna, 17; Haines, 10; Stewart, 6; 33 ballots cast; necessary to a choice, 17.

John N. Conna was declared elected by the president.

For messenger and postmaster, Senator Wilson nominated

Harry Cowles of Thurston, Senator Rinehart nominated J. W. Orr of King.

The tellers reported 33 ballots cast, of which Cowles received 23 votes, and Orr 10 votes.

The president declared Mr. Cowles elected messenger and postmaster.

For porter there was but one nominee, J. W. Orr of King county, who was elected unanimously.

For the two copying clerks, Senator Clough nominated Miss Fannie Troup of Clarke, Senator Fairweather nominated Mrs. Fannie P. Gage of Thurston, Senator Rinehart nominated Mrs. Isabella Lampkin of Walla Walla. Mrs. N. R. Deane of Thurston was also named.

Pending these nominations the clerk of the House of Representatives appeared with the communication that the House was organized and ready for business.

On motion of Senator Fairweather the oath of office was administered to Sergeant-at-Arms H. A. Clarke, and he entered on the duties of his office.

The tellers reported the result of the ballot for the two copying clerks as follows: Thirty-three votes cast; necessary to a choice, 17, of which Miss Troup received 24; Mrs. Gage, 19; Mrs. Deane, 11; Mrs. Lampkin, 12.

Miss Troup and Mrs. Gage were declared elected copying clerks.

For the two pages, Senator Kinnear nominated Willie Hagermeyer of Thurston, Senator Drum nominated G. Avery Reed of Thurston.

They were elected by acclamation.

For watchman, Senator Long nominated Anson Burlingame of Lewis, Senator Forsythe nominated Levi Summers of Cowlitz, Senator Hyde nominated P. J. Waters of Spokane, Senator Houghton nominated William Hollenbush of Stevens.

Pending these nominations the clerk of the House appeared and read the following communications, which were placed on record:

HOUSE OF REPRESENTATIVES,
OLYMPIA, October 11, 1889.

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has permanently organized by the election of the following named officers:

Speaker, J. W. Feighan.
Chief Clerk, Charles E. Cline.
Assistant Clerk, William Chandler.
Sergeant-at-Arms, J. H. Leiter.
Assistant Sergeant-at-Arms, Robert Ehman.
Journal Clerk, Robert Black.
Enrolling Clerk, C. B. Fox.
Assistant Enrolling Clerk, Miss Linnie Fenderson.
Engrossing Clerk, May Stream.
Doorkeeper, H. McKay.
Assistant Doorkeeper, M. A. Day.
Messenger, A. J. Mills.
Assistant Messenger, Elmer Shields.
Docket Clerk, Miss Lulu Carson.
Pages, James Browne, Claud Stock, Morton Matson, Daniel Ridpath.

CHARLES E. CLINE,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
OLYMPIA, November 11, 1889.

MR. PRESIDENT:

I am instructed to inform the Senate that the House has appointed the following members as a committee to confer with a similar committee from the Senate to fix the salary of employes of the Legislature: Brown of Spokane, Geoghegan of Clark, Browne of Pierce, Grant of King, Kuhn of Jefferson.

CHARLES E. CLINE,
Chief Clerk.

The presiding officer was instructed to administer the oath of office to J. W. Romaine, which was done, and Mr. Romaine took his seat as assistant secretary of the Senate.

The tellers announced the following vote for watchman: Burlingame, 16; Stewart, 7; Summers, 2; Waters, 7; Hollenbush, 1. No election.

The second ballot was announced as follows: Thirty-one votes cast; necessary to a choice, 16, of which Burlingame received 17; Stewart, 5; Walters, 8; Summers, 1.

Mr. Burlingame was declared duly elected.

Presiding Officer Laughton announced the appointment of William Lynch of Jefferson as his page.

PRESIDENT PRO TEMPORE.

For presiding officer pro tem., Senator Kinnear nominated Mr. Parkinson, Senator Owings nominated Mr. Long.

The presiding officer read the following, which was received with applause:

WASHINGTON TERRITORY,
EXECUTIVE DEPARTMENT, GOVERNOR'S OFFICE,
OLYMPIA, November 11, 1889.

To the Senate and House of Representatives, State of Washington:

I have the honor to advise you of the receipt by this office of the following telegram. Respectfully, MILES C. MOORE, Governor.

EXECUTIVE MANSION,
WASHINGTON, D. C., November 11, 1889.

To Hon. Miles C. Moore, Governor, Olympia, Washington:

The president signed the proclamation declaring Washington to be a state in the Union at 5 o'clock and 20 minutes this afternoon. JAMES G. BLAINE.

It was ordered placed on record.

The vote for presiding officer pro tem. resulted as follows:

For Parkinson: Messrs. Baker, Clough, Fairweather, Fariss, Guilfoil, Hyde, Jones, Kinnear, Long, Luce, Payne, Seaborg, Thompson (George T.), Thompson (L. F.), Vestal, Watt, Whalley — 17.

For Long: Austin, Drum, Forsyth, Houghton, Humsaker, Kneeland, Lawrence, Owings, Preston, Parkinson, Rinehart, Van Houten, Wilson, Wolfe, Wood, Wooding — 17.

Seventeen votes being necessary to a choice, and Mr. Parkinson receiving that number, he was declared elected presiding officer pro tem.

Presiding Officer Laughton said: "The chair is in doubt as to the present presiding officer presiding without being fully qualified according to law." He requested the presiding officer pro tem. to take the chair, which was done.

On motion of Senator Fairweather the Secretary was instructed to notify the House of the organization of the Senate for business.

Senator Houghton moved that a recess be taken until 10 o'clock P. M. Tuesday, 12th inst. Lost; 15 in affirmative and 18 in negative, as follows:

Yeas: Baker, Drum, Fairweater, Fariss, Forsyth, Houghton, Humsaker, Long, Luce, Owings, Payne, Parkinson, Thompson (L. F.), Van Houton, Wilson — 15.

Nays: Austin, Clough, Guilfoil, Hyde, Jones, Kinnear, Kneeland, Lawrence, Preston, Rinehart, Seaborg, Thompson (George T.), Vestal, Watt, Whalley, Wolfe, Wood, Wooding — 18.

On motion of Senator Wood a recess was taken for five minutes.

Upon re-assembling President pro tem. Parkinson in the chair.

Senator Kinnear moved that the Senate adjourn until 1 o'clock P. M., Tuesday, 12th inst. Adopted, and at 4:30 o'clock the Senate adjourned.

Immediately after adjournment the oath of office was administered to Secretary C. M. Barton and Watchman Anson Burlingame by Notary Public J. W. Romaine, the assistant secretary.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, November 12, 1889.
1:30 o'clock P. M.

Senate called to order at 1:30 P. M., pursuant to adjournment, by President pro tem. Parkinson.

The oath of office of Charles Erastus Laughton, as lieutenant-governor of the State of Washington, as taken before Probate Judge M. A. Root, of Thurston county, was read to the Senate, whereupon he took the chair as presiding officer and spoke as follows:

GENTLEMEN OF THE SENATE:

As your constitutional presiding officer, it becomes my pleasurable duty at this hour to call to order the first Senate of the State of Washington.

The convening and action of this Legislature is fraught with deepest import to the people of a territory, who have patiently awaited deferred statehood, in its magnificent fruition, significance and privileges.

Your constituents await with anxious solicitude such wise and liberal enactments as may be necessary to develop, foster, encourage and protect the varied and marvelous national resources with which we are so abundantly blessed. They look for ample and thoughtful legislation in the formulating of a code of laws, such as will insure harmony between and encouragement to both labor and capital, and which will be applicable to the changing needs and conditions of our growing commerce, our diversified manufactures with their collateral interests, and the rapidly increasing population of this young and vigorous commonwealth.

Criticism of our actions (whether it be legitimate or otherwise) cannot be avoided; but the personnel of this body warrants the confident assurance that this, the first Senate of Washington, will establish a

precedent for dignity, wisdom and statesmanship, which its successors may well endeavor to emulate.

The constitution imposes upon the lieutenant-governer the delicate duty of presiding over your deliberations, and the people of Washington have been pleased to select me as that officer. Whilst fully appreciating that I possess few of the especial qualifications essential to the discharge of this duty, I assure you, gentlemen, that I bring to its performance a high appreciation of the importance of this trust, and a sincere desire to be diligent and faithful in its execution. With these sentments, and in no sense a partisan, I come to this chair to administer your rules, appealing to you only for that consideration and generous support by which alone a presiding officer may be sustained, pledging you in return an inflexible impartiality upon the part of the chair.

I am sure that kindly forbearance and ample courtesy will govern our official intercourse; and, with the expression of this belief, the chair announces that the Senate of Washington is now ready to proceed to business.

Roll of members called. All present but Senator Snow.

Senator Drum moved that the members and attaches of the Senate take the oath of office, whereupon the oath was administered by the president of the Senate, all being present and sworn in but Senator Snow.

The journal of yesterday was read and approved.

Senator Luce offered the following resolution and moved its adoption:

Resolved, That a standing committee of five senators be appointed by the chair on rules and joint rules; said committee to report to the Senate permanent rules for its government, as soon as practicable.

Adopted.

Senators Luce, Owings, Kneeland, Austin and President pro tem. Parkinson were appointed as such committee.

Senator Wilson offered the following:

SENATE CONCURRENT RESOLUTION NO. 1.

Resolved by the Senate, the House concurring, That such printing as may be required to be done for the Legislature shall be executed by the State Printing and Publishing Company, of Olympia, State of Washington. The prices for said printing shall in no case exceed those paid by the United States for work of like character done for the Territory of Washington. This resolution shall be in force until such time as a state printer shall be elected in pursuance of law.

Senator Kinnear moved to lay the resolution on the table.

Lost.

Senator Fairweather offered the following as a substitute:

Resolved, the House concurring, That the secretary of the Senate be authorized to procure all necessary printing until otherwise provided by the Senate.

Senator Drum moved to strike out all after the word "force" in the resolution and insert the words "for thirty days only."

Adopted.

Senator Kinnear offered the following as a substitute for the resolution:

Resolved by the Senate, the House concurring, That a joint committee of two from the Senate and three from the House be appointed on printing, and that such committee report on Monday next the result of its investigations.

A vote being called resulted as follows:

Yeas: Austin, Clough, Fairweather, Fariss, Forsyth, Guilfoil, Hunsaker, Jones, Kinnear, Landes, Lawrence, Luce, Payne, Rinehart, Seaborg, Thompson (George T.), Vestal, Whalley, Wooding, Wood — 20.

Nayes: Baker, Drum, Houghton, Hyde, Kneeland, Long, Owings, Preston, Parkinson, Thompson (L. F.), Van Houten, Wilson, Wolfe — 13.

Senator Kinnear's substitute was agreed to.

Senators Wilson and Wolfe were appointed said committee.

The following communications from the House were presented and read:

COMMUNICATION FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
TUESDAY, NOV. 12, 1889.

MR. PRESIDENT:

I am instructed by the House to notify the Senate that a committee of five, consisting of the following named members, has been appointed to confer with a similar committee from the Senate, to arrange for the inauguration of state officers on Nov. 18, 1889: Herren, Megler, Eddy, Kuhn and Gilchrist.

I am also instructed by the House to inform the Senate that the House has passed House committee resolution No. 2, in relation to the time for electing United States Senators, and the same is transmitted to the Senate for your action.

CHAS. E. CLINE,
Chief Clerk.

Resolved by the House of Representatives, the Senate concurring, That each house of the Legislature of the State of Washington proceed at the hour of 1 o'clock P. M. on the nineteenth (19) day of November, 1889, to

name by a *viva voce* vote of each member present two persons for senators in Congress from said state and that at the hour of 12 o'clock meridian on the twentieth day of November, 1889, the members of the two houses shall convene in joint assembly, and, if two of the said persons voted for shall not have received a majority of the votes in house, the joint assembly shall then proceed to choose by a *viva voce* vote of each member present one or two persons as may be necessary to fill said offices of senators in Congress for said state.

COMMITTEE REPORT.

The committee on examination of applicants for positions as enrolling and engrossing clerks, offered the following:

SENATE CHAMBER,
OLYMPIA, November 12, A. D. 1889.

To the Senate of the State of Washington:

Your committee, appointed to examine into the qualifications of applicants for the positions of engrossing and enrolling clerks of your honorable body, beg leave to report that on this day we have held a session of our committee, at which seven applicants submitted to an examination, and as a result thereof, we find the following four persons qualified, in our opinion, for the duties of either of said offices, to wit: Mrs. Nelly R. Deane, Mrs. Isabella Lampkin, Mr. J. G. McClinton and Mr. A. M. Mitchell.

Respectfully submitted,
C. G. AUSTIN, Chairman,
E. T. WILSON,
W. J. PARKINSON,
WM. D. WOOD,
GEO. T. THOMPSON,
Committee.

Senator Parkinson moved to proceed to the election of engrossing clerk. Agreed to.

Senator Landes nominated James G. McClinton of Jefferson. Senator Geo. T. Thompson nominated Mrs. Isabella Lampkin of Walla Walla.

On call of the roll, the following Senators voted for Mr. McClinton: Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Guilfoil, Houghton, Hyde, Jones, Kinnear, Kneeland, Landes, Lawrence, Long, Luce, Payne, Parkinson, Rinehart, Seaborg, Thompson (L. F.), Vestal, Watt, Whalley, Wood, Wooding—26.

Those voting for Mrs. Lampkin: Senators Austin, Hunsaker, Owings, Preston, Thompson (Geo. T.), Van Houten, Wilson, Wolfe—8.

James G. McClinton was declared elected engrossing clerk.

The Senate then proceeded to the election of enrolling clerk, with the following result:

Senator Wood nominated A. M. Mitchell, Isabella Lampkin and Mrs. Nellie R. Deane, who were reported competent by the committee.

The vote was as follows:

For Mitchell: Senators Clough, Forsyth, Guilfoil, Watt, and Wood — 5.

For Mrs. Deane: Senators Hyde, Long, Owings, Parkinson, Vestal, Van Houten — 6.

All the other senators voting for Mrs. Lampkin excepting Snow, absent — 23.

Mrs. Lampkin was declared elected.

Senators Vestal, Kinnear and Landes were excused until Monday.

Mr. McClinton and Mrs. Gage were sworn in by the presiding officer.

Senator Preston moved that House Resolution No. 2, relative to the election of United States senators, be concurred in.

Adopted.

The House resolution, relative to arranging for inauguration, was also concurred in, and Messrs. Owings, Van Houten, Wood, Long and Fariss appointed a committee to coöperate with the House committee.

Mrs. Lampkin was sworn in as enrolling clerk by the president.

Senator Wood offered the following:

SENATE CONCURRENT RESOLUTION NO. 2.

Be it resolved by the Senate, the House concurring, That when the Senate adjourns this day, it meet again November 19th (Tuesday), at 12:30 P. M.

On roll call the following named senators voted in the affirmative: Austin, Baker, Drum, Fairweather, Fariss, Forsyth, Guilfoil, Hunsaker, Kneeland, Landes, Long, Preston, Parkinson, Rinehart, Seaborg, Thompson (L. F.), Thompson (G. T.), Whalley, Wolfe, Wood, Wooding — 21.

In the negative: Clough, Houghton, Hyde, Jones, Lawrence, Luce, Payne, Van Houten, Watt, Wilson — 10.

The resolution was adopted.

Senators Austin, Seaborg and Guilfoil were excused until Monday.

On motion of Senator Luce, the Senate took a recess of ten minutes.

Upon being called to order by Presiding Officer Laughton, all were present, excepting those excused and Senator Snow.

On motion of Senator Houghton, the office of janitor of committee rooms was created, and Mr. Asbury F. Haynes was unanimously elected to that position and sworn in by the president.

Senator George T. Thompson moved that the salary of the janitor be fixed at $5 per day, which was not agreed to by the following vote:

In the affirmative: Senators Baker, Houghton, Kneeland, Preston, Payne, Thompson (L. F.), Thompson (G. T.) — 7.

In the negative: Senators Clough, Drum, Fariss, Forsythe, Hunsaker, Hyde, Jones, Lawrence, Long, Luce, Owings, Parkinson, Rinehart, Van Houten, Watt, Whalley, Wolfe, Wood, Wooding — 19.

On motion of Senator Long, the salary of the janitor was fixed at $3.50 per day.

On motion of Senator Wood, the Senate again took a recess of fifteen minutes.

On being called to order all were found present, except those excused and Senator Snow.

A communication was received from the House, notifying the Senate that the House refused to suspend the rules for a second reading of Senate concurring resolution No. 2, relative to adjournment until Tuesday, 19th inst.; also, notifying the Senate that the House had taken a recess until 10 o'clock A. M. to-morrow.

Senator Fairweather asked that an indefinite leave of absence be granted Senator Snow.

Agreed to.

Senator Fairweather moved that the Senate adjourn till Friday at 1 o'clock P. M.

Senator Wood moved to amend to adjourn until to-morrow morning at 10 o'clock.

The latter motion was carried, and the Senate at 3:25 P. M. adjourned.

MORNING SESSION.

SENATE CHAMBER
OLYMPIA, WASHINGTON, November 13, 1889.
10 o'clock A. M.

Senate called to order pursuant to adjournment, at 10 o'clock A. M., by the president.

Roll called; all present but Messrs. Austin, Guilfoil, Kinnear, Landes, Seaborg, Vestal, Wooding, excused, and Snow on indefinite leave.

Journal of yesterday read and approved.

Senator Rinehart moved that the night watchman be brought before the bar of the Senate and be publicly reprimanded for neglect of duty.

Senator Long made an explanation of the neglect.

The motion was not adopted.

Senator Lawrence offered the following:

Resolved, That in view of the fact that no appropriation can be made to pay for the services of a chaplain, an invitation be extended to clergymen to be present at the opening of each day's session of the Senate to offer prayer.

Adopted by the following vote:

Ayes: Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Houghton, Hunsaker, Hyde, Jones, Lawrence, Long, Luce, Preston, Parkinson, Rinehart, Thompson (of Pierce), Van Houten, Watt, Whalley, Wood — 21.

Nays: Kneeland, Thompson (of Walla Walla), Wilson, Wolfe — 4.

Senator Lawrence was appointed a committee of one to extend the invitation to the clergy.

Senator Van Houten moved to take a recess for fifteen minutes, which was adopted.

Upon re-assembling, all the members were present, except those excused and on leave.

Senator Parkinson offered the following:

Resolved by the Senate, the House concurring, That when we adjourn to-day it be to meet again on Monday, 1 P. M.

Adopted.

On motion of Senator Rinehart, the sergeant-at-arms was instructed to procure a clock for the use of the Senate.

Senator L. F. Thompson was excused from further attendance at to-day's session.

Senator Houghton moved that a committee of three be appointed by the president to procure committee rooms for the use of the different committees.

Adopted, and Senators Owings, Hyde and Luce appointed such committee.

The chair announced that he had excused Senator Wooding from to-day's session.

On motion of Senator Long, House concurrent resolution of the 11th, relative to a joint committee to fix the salaries of employees, was concurred in, and the following named committee appointed on behalf of the Senate: Senators Kneeland, Long, Watt, Hunsaker and Payne.

Senator Houghton offered, by request, the following:

OLYMPIA, WASHINGTON, November 13, 1889.

To the Honorable Members of the Senate of the State of Washington:

We take this means of thanking you for the recognition you have shown the colored voters of this state in electing John Conna as assistant sergeant-at-arms of the Senate. We are thankful also to the Hon. Charles E. Laughton, lieutenant-governor, for appointing William Lynch as the speaker's page. We are thankful and grateful for this recognition, which we believe to be due us, for the reason that we have been in every historic event in the history of this country. We were with you in the person of Christopher Attucks, whose blood, I claim, was the first spilled on American soil in defense of liberty and justice. We were at Bunker Hill; we were at Salem; we were with Washington, whose name we have adopted, when he, in a small boat, crossed amid the ice upon the Delaware. We were at New Orleans with Jackson, and helped to pile the cotton bales that gave to him the victory of New Orleans. We were with Perry at the victory on Lake Erie, in a small boat, when he, wrapped in the commodore's flag, passed from ship to ship. We were with the gallant Shaw, colonel of the Fifty-fourth Massachusetts Black regiment, when he led that historic charge and died upon the ramparts of Fort Wagner.

We were with Benjamin F. Butler, as he guided his horse hither and thither, amid the upturned faces of the dead black men that lay shining in the sun, and I heard him say myself that if ever he went back upon the black man he hoped his right hand might lose its cunning and his tongue cleave to the roof of his mouth.

We were in Colorado, at the Meeker massacre, when the black troops marched seventy miles in one day to relieve Major Thornburg's command,

and strange as it may seem, amid the prejudices which exist in this country, the white soldiers fell upon the necks of the black soldiers and kissed them.

We are with you to-day. We were with you last November, in the Empire State, when the polls closed on election day and had rolled up 22,000 colored votes, which gave the Republican party 36 electoral votes, which made Benjamin Harrison president of these United States — without which Washington would not to-day have been a state of the Union.

RUDOLPH B. SCOTT,
Vice President of the John A. Logan Colored Club.
SPOKANE FALLS, WASH.

On motion of Senator Wilson, the communication was received and spread upon the journal.

Senate concurrent resolution No. 3, relative to adjournment of both houses until Monday at 1 o'clock P. M., was returned from the House amended to read 10 o'clock A. M.

The joint resolution as amended was concurred in by the Senate.

On motion of Senator Clough, the Senate stood adjourned until Monday, 18th, at 10 o'clock A. M.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, November 18, 1889.
10 o'clock A. M.

The Senate was called to order at 10 o'clock A. M., pursuant to adjournment by the president.

All the members present at roll call except Senator Landes, excused, and Senator Snow, on indefinite leave.

Prayer was offered by Rev. Mr. Landen, of Olympia.

The journal of proceedings of 13th read and approved.

Senator Kinnear presented the following, which was read and, on motion of Senator Owings, ordered to lie on the table until the committees were announced:

HEADQUARTERS SEATTLE UNION VETERAN CLUB,
OPERA BUILDING,
SEATTLE, WASH., November 11, 1889.

To the President of the Senate:

At a meeting of the Seattle Union Veteran Club, held November 9, 1889, the following resolutions were unanimously adopted:

Resolved by the Seattle Union Veteran Club, That our thanks are due to the Legislature of 1887-8 for the passage of that beneficent measure known as the Soldiers' Relief Act, and we ask the present Leislature to keep it on the statute book of the State of Washington

Resolved further, That our thanks are due to the Constitutional Convention for making provisions in the organic law for a soldiers' home, and we respectfully request that early action be taken to carry such law into effect.

By order of the club,
J. P. CRAWFORD,
Assistant Secretary.

M. M. HOLMES,
President.

Senator Owings, from the committee on inauguration ceremonies, made a verbal report, calling attention to the printed programme of proceedings and as to the part the Senate would take therein. Report received and committee discharged.

On motion of Senator Payne the Senate at 10:15 A. M. took a recess until 11:50.

On being called to order by the president at 11:50 A. M., all the senators were present but Messrs. Landes and Snow.

Senator Owings moved that the sergeant-at-arms be instructed to inform the proper officers that the Senate is ready to proceed to the inauguration ceremonies.

At 11:50 A. M. the Senate proceeded in a body to the front of the Capitol building to witness the inaugural ceremonies, which began at 12 M.; after which the Senate again assembled.

Senator Kinnear offered the following:

Resolved, That the temporary organization of the Senate now existing be and hereby is declared to be the permanent organization thereof, and that the oath of office be administered to the members of the Senate and officers-elect.

Adopted.

Senator Kinnear moved that the chair appoint a committee of three to wait upon one of the justices of the supreme court and request him to administer the oath to the members of the Senate and officers and employes.

Adopted.

The president appointed Senators Kinnear, Preston and Watt as such committee.

Chairman Kinnear, of the committee, announced Judge Hoyt, who delivered to the senators the following oath of office:

STATE OF WASHINGTON, COUNTY OF THURSTON:

We and each of us do solemnly swear that we will support the constitution of the United States and the constitution of the State of Washington, and that we will faithfully discharge the duties of the respective offices upon which we are about to enter. So help me God.

Sworn to and subscribed before me this 18th day of November, Anno Domini 1889.

The officers and employes were also then sworn in by Justice Hoyt.

Senator Houghton offered the following concurrent resolution, No. 4:

Resolved by the Senate of the State of Washington, the House of Representatives concurring, That a committee of three on the part of the Senate be appointed to act with a committee of five of the House to inform his excellency, the governor, that the legislature of the State of Washington is now regularly organized and ready to receive any communication he may be pleased to make.

Adopted, and the following committee appointed: Senators Houghton, Rinehart and Whalley.

Senator Rinehart moved that the sergeant-at-arms be instructed to purchase $5 worth of postage stamps for the use of each senator.

Not agreed to, by a divisional vote of 8 in the affirmative and 19 in the negative.

On motion of Senator Payne the Senate adjourned until 11:30 the 19th inst.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, November 19, 1889.
11:30 o'clock A. M.

The Senate met pursuant to adjournment; the president in the chair.

On the call of the roll all were found present, except Senator Snow, absent on leave.

Prayer was offered by the Rev. Mr. Chaplin of Olympia.

Journal of yesterday was read and approved.

Senator Fairweather moved that the privileges of the floor be extended to the members of the late Constitutional Convention.

Adopted.

Senator Landes offered the following:

Resolved, That the sergeant-at-arms be instructed to purchase two dozen chairs for the use of Senate.

Adopted.

Senator Kinnear moved that a recess be taken until 1 o'clock P. M. Lost, by a divisional vote, 10 in affirmative and 20 in negative.

CONCURRENT RESOLUTION NO. 5.

Senator Lawrence offered the following concurrent resolution No. 5:

Resolved, That a committee on mileage, consisting of three members, be appointed by the president, said committee to confer with a similar committee appointed by the House.

Adopted.

The president announced Senators Lawrence, Jones and Payne as such committee.

On motion of Senator Parkinson, a recess was taken until 12:45 P. M.

Upon re-assembling, all the senators were present, except Senator Snow, absent on leave.

Senator Parkinson moved that the privileges of the floor be extended to Hon. C. M. Bradshaw, collector of customs of Puget sound.

Adopted.

Senator Lawrence offered the following:

WHEREAS, Doubts exist as to the legality of voting for two persons at one time for United States senators; therefore, be it

Resolved, That we now proceed to the election of two senators on separate vote, and that two votes be taken before adjournment to-day.

Senator Houghton moved to amend to strike out all after the words "separate vote."

The amendment was rejected, by the following vote:

Ayes: Drum, Fairweather, Forsyth, Houghton, Hunsaker, Long, Luce, Payne, Parkinson, Vestal — 10.

Nayes: Austin, Baker, Clough, Fariss, Guilfoil, Hyde, Jones, Kinnear, Kneeland, Landes, Lawrence, Owings, Rinehart, Seaborg, Thompson (of Pierce), Thompson (of Walla Walla), Van Houten, Watt, Wilson, Whalley, Wolfe, Wood, Wooding — 22.

Senator Lawrence's resolution was then adopted.

VOTING FOR UNITED STATES SENATORS.

The hour of 1 o'clock P. M. having arrived, the president announced that in accordance with the concurrent resolution of both houses the election of two United States senators was now in order,

and called for nominations. None being made, the roll was called by the secretary, and resulted as follows:

The senators voting for John B. Allen were: Senators Austin, Baker, Clough, Fairweather, Fariss, Forsyth, Guilfoil, Hyde, Jones, Landes, Lawrence, Long, Luce, Preston, Parkinson, Rinehart, Seaborg, Thompson (L. F.), Thompson (G. T.), Van Houten, Watt, Wilson, Whalley, Wolfe, Wood — 25.

For George Turner: Senators Houghton, Hunsaker, Kinnear, Kneeland, Payne, Vestal — 6.

For Watson C. Squire: Senators Owings, Wooding — 2.

For Chauncey W. Griggs: Senator Drum — 1.

Total vote cast, 34.

Absent, Senator Snow.

The second ballot, in accordance with the concurrent resolution, was then called for.

The president asked for nominations.

Senator Kinnear nominated Watson C. Squire.

Seconded by Senators Wood, Whalley and Owings.

On call of the roll the following named senators voted for Watson C. Squire: Senators Austin, Clough, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Jones, Kinnear, Landes, Lawrence, Owings, Payne, Parkinson, Rinehart, Seaborg, Thompson (G. T.), Vestal, Van Houten, Watt, Wilson, Whalley, Wolfe, Wood, Wooding — 26.

For John W. Sprague: Senators Baker, Fairweather, Kneeland, Luce, Thompson (L. F.) — 5.

For Walter J. Thompson: Senators Long and Preston — 2.

For C. S. Voorhees: Senator Drum — 1.

Before the vote was announced Senators Fairweather and Luce changed their votes from John W. Sprague to Watson C. Squire.

Senators Long and Preston changed their votes from Walter J. Thompson to Watson C. Squire.

The vote was then announced as follows:

Watson C. Squire, 30.

John W. Sprague, 3.

C. S. Voorhees, 1.

Absent, Senator Snow.

Total, 34 votes.

On motion of Senator Fairweather, the Senate adjourned until 11:30 o'clock A. M., 20th inst.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, November 20, 1890.
11:30 o'clock A. M.

Senate called to order pursuant to adjournment; the president in the chair.

Roll called and all present, but Senators Thompson (G. T.) and Snow, absent.

The chief clerk of the House announced that the House had concurred in the Senate concurrent resolution No. 4, relative to notifying the governor of the organization of both houses.

Report received, and committee discharged.

President pro tem. Parkinson called to the chair by the president.

Journal of yesterday read and approved.

Senator Whalley offered the following:

Resolved, That the thanks of the Senate be extended to Mr. P. B. Johnson, of the Walla Walla *Union*, for his timely gift of a copy of the constitution of the state to each member of the Senate.

Adopted.

The joint special committee on printing offered the following:

MR. PRESIDENT:

We, your special committee, appointed to take into consideration the matter of letting the printing of this body temporarily, respectfully recommend that the contract be given to the State Printing and Publishing Company of Olympia for a period not exceeding thirty days from this date, under the following conditions, to-wit:

For printing matter in book form, 75 cents per 1,000 ems; the work to be measured in all cases as plain work.

Composition on bills, memorials and resolutions, 60 cents per 1,000 ems; the heading not to occupy a greater space than one-eighth of a page of foolscap; the space between lines not to be more than a nonpareil slug.

Press-work, 60 cents per token of 250 impressions.

Paper, at fair market prices; counting only what is actually used.

Binding in paper covers, as pamphlets, 3 to 10 cents per copy, according to size, including folding and stitching.

We would further recommend that none but competent printers and pressmen be employed by the said publishing company, at a rate of com-

pensation in accordance with the scale of prices adopted by the typographical union of this state.

All of which is respectfully submitted.

H. H. WOLFE,
E. T. WILSON,
WILLIAM H. HUGHES,
E. V. PICKRELL,
A. B. LULL,
Joint Committee.

Adopted.

On motion of Senator Owings a special committee of three was appointed by the president to notify the House that the Senate was ready to meet with them in joint action relative to the election of United States senators.

Senators Owings, Rinehart and Baker were appointed such committee.

Senator Payne offered by request a communication from W. H. Doolittle, chairman, and H. J. Snively and A. E. Isham, late code commissioners of the territory, which was read, and on motion of Senator Kinnear was ordered to lie on the table for the present.

The committee on joint rules on the part of the Senate offered the following:

SENATE CHAMBER,
OLYMPIA, November 19, 1889.

MR. PRESIDENT:

Your standing committee on rules and joint rules beg leave to submit the following rules for the government of this Senate, with a recommendation that they be adopted:

We would further recommend that two hundred and fifty copies of same be printed and substantially bound, and that such bound volumes should contain the Constitution of the State of Washington, the rules and joint rules of the Senate and House of Representatives, a complete register of the various state officers, members of both branches of the legislature, the officers and attaches of same, and the standing committees of both houses; and that each member of the legislature and the secretary of state (for use of state library) of each state in the United States, be furnished with one volume of same for his, their or its use. We recommend that 100 copies of the rules be printed in pamphlet form for immediate use.

F. H. LUCE, Chairman,
N. H. OWINGS,
W. H. KNEELAND,
W. J. PARKINSON,
C. G. AUSTIN,
Committee.

SENATE RULES.

RULE ONE.

The president shall call the Senate to order each day of sitting at 10 o'clock A. M., unless the Senate shall have adjourned to some other hour.

RULE TWO.

A majority of all the members elected to the Senate shall be necessary to constitute a quorum to do business, providing that less than a quorum may adjourn from day to day until a quorum can be had.

RULE THREE.

The president shall take the chair and call the Senate to order precisely at the hour appointed for meeting, and if a quorum be present shall cause the journal of the preceding day to be read. He shall preserve order and decorum, and, in case of any disturbance or disorderly conduct within the chamber, shall order the sergeant-at-arms to suppress the same, and may order the arrest of any person creating any disturbance within the Senate chamber. He may speak to points of order in preference to members, arising from his seat for that purpose, and shall decide all questions of order without debate, subject to an appeal to the Senate by any three members, on which appeal no member shall speak more than once without leave of the Senate. He shall have charge of, and see that all officers, attaches and clerks, perform their respective duties, and shall, in open session, sign all acts, addresses and joint resolutions. He shall sign all writs, warrants and subpœnas issued by order of the Senate, all of which shall be attested by the secretary. He shall have general control of the Senate chamber and lobby, and shall have the right to name any senator to perform the duties of the chair, but such substitution shall not extend beyond an adjournment, nor authorize the senator so substituted to sign any document requiring the signature of the president.

RULE FOUR.

Upon the organization of the senate the members shall select one of their number as president pro tem., who shall have all the power and authority and who shall discharge all the duties of the president during his absence, or inability to discharge the duties of his office.

RULE FIVE.

The subordinate officers of the Senate shall perform such duties as usually pertain to their respective positions in legislative bodies under the direction of the president, and such other duties as the Senate may impose upon them.

RULE SIX.

The president shall appoint all special, joint, and the following standing committees on the part of the Senate:

Agriculture, three members.
Claims, three members.

Commerce, three members.
Constitution and Revision, three members.
Corporations, other than Municipal, five members.
Counties and County Boundaries, three members.
Education, three members.
Elections and Privileges, three members.
Engrossed Bills, three members.
Enrolled Bills, three members.
Federal relations, three members.
Fisheries, three members.
Harbor Lines and Navigable Streams, three members.
Indian Affairs, three members.
Internal Improvements, three members.
Judiciary, seven members.
Medicine, Pharmacy, Surgery, Hygiene and Dentistry, three members.
Labor and Labor Statistics, three members.
Manufactures, three members.
Memorials, three members.
Military and National Guard Affairs, three members.
Mines and Mining, three members.
Municipal Corporations, three members.
Printing, three members.
Public Buildings and Grounds, three members.
Public Morals, three members.
Public Revenue and Taxation, nine members.
Roads, Bridges, Highways and Fences, three members.
Rules and Joint Rules, five members.
Salaries and Mileage, three members.
State, Granted and School Lands, five members.
State Library, three members.
State Prison, three members.
State Hospital for the Insane, three members.
State School for Defective Youth, three members.
State Tide Lands, five members.

RULE SEVEN.

When a motion is made to refer any subject, and different committees are proposed, the question shall be taken in the following order:

First — The committee of the whole Senate.
Second — A standing committee.
Third — A select committee.

RULE EIGHT.

The several committees shall fully consider all measures referred to them. They shall acquaint themselves with the interests of the state specially represented by the committee, and from time to time present such bills and reports as in their judgment will advance the interests and promote the welfare of the people of the state.

No committee shall sit during the daily sessions of the Senate unless by special leave.

RULE NINE.

All reports of committees shall be signed by such members thereof as concur therein, and the report, with the name or names signing the same, shall be read by the secretary, or at the secretary's desk by the member making the report, without a motion, unless the reading be dispensed with by the Senate. The members of the committee not concurring in the majority report shall prepare a written minority report, sign and present the same to the Senate. And both majority and minority reports shall in all cases be spread in full upon the journal.

RULE TEN.

No committee shall employ assistance or incur any expense, except by permission of the Senate previously obtained.

RULE ELEVEN.

In forming the committee of the whole, the president shall name a chairman to preside, and all bills considered shall be read by sections, and the chairman shall call for amendments and debates thereon at the conclusion of the reading of each section. The body of the bill shall not be defaced or interlined, but all amendments (noting the page and line) shall be duly entered by the secretary on a separate paper, as the same shall be agreed to by the committee, and so reported to the senate for action.

RULE TWELVE.

The rules of the Senate shall apply to preceedings in committee of the whole, except that the previous question shall not be ordered, nor the ayes and noes demanded; but the committee may limit the number of times that any member may speak at any stage of proceedings during its sitting.

RULE THIRTEEN.

Messages may be received by the president while the committee of the whole is sitting; in which case the president will resume the chair, receive the message, and vacate the chair in favor of the chairman of the committee.

RULE FOURTEEN.

A motion that the committee of the whole rise shall always be in order, and shall be decided without debate.

RULE FIFTEEN.

The Senate may at any time, by a vote of the majority of the members present, suspend the rules and orders of the Senate for the purpose of going into the committee of the whole for the consideration of any bill, memorial or resolution before the Senate.

RULE SIXTEEN.

The committees on enrolled and engrossed bills may report at any time during the sitting of the Senate, except when the Senate is sitting in committee of the whole.

RULE SEVENTEEN.

After the roll is called, and the journal read and approved, business shall be disposed of in the following order:

1. Presentation of petitions, memorials, resolutions and motions.
2. Reports of standing committees.
3. Reports of select committees.
4. Messages from the governor and other state officers.
5. Messages from the House of Representatives.
6. Introduction and first reading of bills.
7. Second reading and reference of bills.
8. Business on general file and third reading of bills.
9. Business lying on the table.
10. The orders of the day.
11. Unfinished business.

RULE EIGHTEEN.

The president shall on each day announce to the Senate the business in order, agreeably to the preceding rule, and no business shall be taken up or considered until the class to which it belongs shall be declared to be in order.

RULE NINETEEN.

The unfinished business at the preceding adjournment shall have the preference in the orders of the day, excepting special orders, and no motion or any other business shall be received without special leave of the Senate until the former is disposed of.

RULE TWENTY.

At least one day's notice shall be given of the introduction of a bill, unless by consent of a majority of the Senate, or the bill be presented by a committee in the discharge of its duty.

RULE TWENTY-ONE.

Every bill shall receive three readings previous to its passage. The president shall give notice at each, whether it be the first, second or third reading. The first and second readings may by consent of a majority of the Senate be on the same day. The third reading of every bill shall be by sections, and upon its final passage the vote must be taken by yeas and nays, the names of the Senators voting for and against the same be entered upon the journal, and the majority of the members elected to the Senate must be recorded thereon as voting in its favor to secure its passage by the Senate.

RULE TWENTY-TWO.

All bills that have passed a second reading which have not been referred, and all bills reported by committees after the second reading, shall be placed on the general file, and shall be considered in the order in which they became entitled to a position on the file, unless otherwise specially ordered by a two-thirds vote of the Senate.

RULE TWENTY-THREE.

Engrossed bills shall be placed at the head of the general file in the order in which they are reported engrossed (except general appropriation bills, which shall be placed at the head of the general file).

RULE TWENTY-FOUR.

A bill may be committed with special instructions to amend at any time before taking the final vote.

RULE TWENTY-FIVE.

No bill shall embrace more than one subject, and that shall be expressed in the title.

RULE TWENTY-SIX.

No bill shall ever be revised or amended by mere reference to its title, but the act revised or the section amended shall be set forth at full length.

RULE TWENTY-SEVEN.

No bill shall be considered in the Senate unless the time of its introduction shall have been at least ten days before the final adjournment of the Senate, unless the Senate shall otherwise direct by a vote of two-thirds of all the members elected thereto, said vote to be taken by yeas and nays, and entered upon the journal, or unless the same be at a special session.

RULE TWENTY-EIGHT.

No amendment to any bill shall be allowed which shall change the scope and object of the bill.

RULE TWENTY-NINE.

On the second day next succeeding the final vote on any bill, said vote may be reconsidered on the motion of any member, provided notice of intention to move a reconsideration was given on the day such final vote was taken, by a senator who voted on that side which prevailed, and no motion to reconsider shall be in order on the day such final vote is taken, except by unanimous consent. A motion to reconsider shall have precedence over every other motion, except a motion to adjourn; and when the Senate adjourns while a motion to reconsider is pending, or before passing the order of motions, resolutions and notices, the right to move a reconsideration shall continue to the next day of sitting. No notice of reconsideration of any final vote shall be in order on the day preceding the last day of the session. Motions to reconsider a vote upon amendments to any pending question may be made and decided at once.

RULE THIRTY.

Bills appropriating money shall be considerered in committee of the whole Senate, and no change in the amount appropriated shall be made outside of the committee of the whole.

RULE THIRTY-ONE.

Unless otherwise ordered, 500 copies of all bills of a general nature originating in the Senate shall be printed for the use of the Senate and

House of Representatives, and such other bills and matter shall be printed as may be ordered by the Senate.

RULE THIRTY-TWO.

The president shall call the Senate to order at the hour fixed for the consideration of a special order, and announce that the special order is before the Senate, which shall then be considered unless it be postponed by a two-thirds vote, and any business before the Senate at the time of the announcement of the special order shall take its regular position in the order of business.

RULE THIRTY-THREE.

Joint resolutions addressed to congress, or either house thereof, or to the president of the United States, or the heads of any of the national departments, or proposing amendments to the state constitution, shall be subject in all respects to the foregoing rules governing the course of bills.

RULE THIRTY-FOUR.

Resolutions, other than those referred to in rule 33, shall be treated as motions in all proceedings of the Senate.

RULE THIRTY-FIVE.

No motion shall be entertained until it shall be seconded, nor debated until announced by the president. It shall be reduced to writing, and read by the secretary, if desired by the president or any senator, before it shall be debated, and by consent of the Senate may be withdrawn before amendment or action.

RULE THIRTY-SIX.

A motion to adjourn shall always be in order. The name of the senator moving to adjourn, and the time when the motion was made, shall be entered on the journal.

RULE THIRTY-SEVEN.

When a question is under debate, no motion shall be received but the following, which shall have precedence in the order named:

1. To fix the time to which to adjourn.
2. To adjourn.
3. For a call of the Senate.
4. To lay on the table.
5. For the previous question.
6. To postpone to a day certain.
7. To commit.
8. To amend.
9. To postpone indefinitely.

The second, third, fourth and fifth motions shall be decided without debate, and no motion to postpone to a day certain, to commit, or to postpone indefinitely, being decided, shall again be allowed on the same day, and at the same stage of the proceedings, and when a question has been postponed indefinitely, it shall not again be introduced during the

session, except this rule be suspended by a two-thirds vote, and there shall be no reconsideration of a vote on a motion to indefinitely postpone.

RULE THIRTY-EIGHT.

A motion to strike out the enacting clause of a bill or resolution shall have precedence of a motion to commit, or amend, and if carried shall be equivalent to its rejection.

RULE THIRTY-NINE.

Any senator may call for a division of a question, which shall be divided if it embraces subjects so distinct that one being taken away a substantive proposition shall remain for the decision of the Senate; but a motion to strike out and insert shall not be divided.

RULE FORTY.

The previous question shall not be put unless demanded by three senators, whose names shall be entered upon the journal, and it shall then be in this form, "Shall the main question be now put?" When sustained by a majority of the senators present it shall preclude all debate, and the roll shall be immediately called on the question or questions before the Senate, and all incidental questions or questions of order arising after the motion is made after the previous question, and pending such motion shall be decided, whether on appeal or otherwise, without debate.

RULE FORTY-ONE.

All questions relating to the priority of business shall be decided without debate.

RULE FORTY-TWO.

The passage of a bill or action on a question is lost by a tie vote, but when the vote of the Senate is equally divided, the lieutenant-governor, when presiding, shall have the deciding vote.

RULE FORTY-THREE.

The yeas and nays shall be taken when called for by one-sixth of all the senators present, and every senator within the bar of the Senate shall vote, unless excused by the unanimous vote of the Senate, and the votes shall be entered upon the journal, and the names of senators demanding the yeas and nays shall also be entered upon the journal.

RULE FORTY-FOUR.

In filling blanks the largest sum and longest time shall be first put.

RULE FORTY-FIVE.

Where the reading of any paper is called for, and is objected to by any senator, it shall be determined by a vote of the Senate, and without debate.

RULE FORTY-SIX.

Messages from the governor, other state officers, and from the assembly, may be considered at any time by consent of the Senate.

RULE FORTY-SEVEN.

When any senator is about to speak in debate, or submit any matter to the Senate, he shall rise from his seat and, standing in his place, respectfully address himself to "Mr. President," and, when recognized, shall in a courteous manner, confine himself to the question under debate, avoiding personalties, and when finished shall resume his seat. No senator shall impeach the motives of any other member, nor speak more than twice (except for explanation) during the consideration of any one question, on the same day, nor a second time without leave, when others who have not spoken desire the floor, but incidental and subsidiary questions arising during the debate shall not be considered the same question.

RULE FORTY-EIGHT.

If any senator, in speaking or otherwise, transgress the rules of the Senate, the president shall, or any senator may call him to order, and when a senator shall be so called to order he shall resume his seat and not proceed without leave of the Senate, which leave, if granted, shall be upon motion "That he be allowed to proceed in order," when, if carried, he shall confine himself to the question under consideration.

RULE FORTY-NINE.

Every decision on points of order by the president shall be subject to appeal; and no discussion of a question or order shall be allowed, except on appeal of three Senators, and in all cases of appeal the question shall be, "Shall the decision of the chair stand as the judgment of the Senate?"

RULE FIFTY.

In cases of breaches of decorum or propriety any senator, officer or other person shall be liable to such censure or punishment as the Senate may deem proper, and if any senator be called to order for offensive or indecorous language or conduct, the person calling him to order shall report the language or conduct excepted to, which shall be taken down or noted at the secretary's desk, and no member shall be held to answer for any language used on the floor of the Senate if business has intervened before exception to the language was thus taken and noted.

RULE FIFTY-ONE.

When two or more senators rise up at the same time to address the chair, the president shall name the one who shall speak first, giving preference, when practicable, to the mover or introducer of the subject under consideration.

RULE FIFTY-TWO.

The author of a bill, motion or resolution shall have the privilege of opening and closing debate upon same, unless the previous question has been moved and sustained.

RULE FIFTY-THREE.

Any senator or senators may protest against the action of the Senate upon any question, and have such protest entered upon the journal.

RULE FIFTY-FOUR.

Any senator may rise to a question of privilege and explain a matter personal to himself, by leave of the president, but he shall not discuss any pending question in such explanation.

RULE FIFTY-FIVE.

No senator shall absent himself from the service of the Senate without leave, except in case of accident or sickness; and if any senator or officer shall so absent himself, his per diem shall not be allowed or paid him, and no senator, officer or attache shall obtain leave of absence or be excused from attendance without consent of two-thirds of the members present.

RULE FIFTY-SIX.

A call of the Senate may be moved by three senators, whose names shall be entered on the journal, and if carried by a majority of all present, the secretary shall call the roll and note the absentees, after which the names of the absentees shall again be called. The doors shall then be closed, and the sergeant-at-arms directed to take into custody all who may be absent without leave, and all senators so taken into custody shall be presented at the bar of the Senate for such action as the Senate may deem proper.

RULE FIFTY-SEVEN.

A senator, being absent at roll call, may ask to have his name called.

RULE FIFTY-EIGHT.

In all cases of election by the Senate the votes shall be taken *viva voce*, and no senator or other person shall remain by the secretary's desk while the roll is being called, or the votes are being counted. No senator shall be allowed to vote except when at his seat, nor upon any question in which he is in any way personally or directly interested, nor be allowed to explain his vote or discuss the question while the yeas and nays are being called, nor change his vote after the result is announced.

RULE FIFTY-NINE.

The announcement of all votes shall be made by the president, and the announcement of the result of any vote shall not be postponed.

RULE SIXTY.

Witnesses summoned by or on behalf of the Senate, to appear before the Senate, or any of its committees, shall be paid for each day's attendance, $3. For each mile traveled in coming to the place of examination, 15 cents, and nothing shall be paid for travel where the witness was served at the place of examination, and no mileage shall be paid, except where the witness actually traveled for the purpose of giving testimony.

RULE SIXTY-ONE.

No person, except state and United States officers, the president, officers and members of the Senate and House of Representatives, shall

be admitted within the bar of the Senate, except by special invitation on the part of some member, and a majority of the senators may by vote authorize the president to have the Senate chamber cleared of all persons, except members and officers of the Senate; and the Senate chamber shall not be used for any but legislative business during the session, except by permission of the Senate given by a two-thirds vote.

RULE SIXTY-TWO.

Smoking shall not be allowed within the Senate chamber during the sessions of the Senate, nor shall indecorous conduct, boisterous or unbecoming language, be permitted there at any time.

RULE SIXTY-THREE.

The rules of parliamentary practice as contained in Jefferson's Manual shall govern the Senate in all cases to which they are applicable, and in which they are not inconsistent with the rules and orders of this Senate, and the joint rules of this Senate and the House of Representatives.

RULE SIXTY-FOUR.

No standing rule or order of this Senate shall be rescinded or changed without a vote of two-thirds of the members, and one day's notice of the motion therefor, but a rule or order may be temporarily suspended for a special purpose by a vote of two-thirds of the members present. When the suspension of a rule is called for, and after due notice from the president no objection is offered, he may announce the rule suspended, and the Senate may proceed accordingly; but this shall not apply to that portion of rule 22 relating to the third reading of bills, which cannot be suspended.

Report adopted, and Senator Houghton appointed by the president a committee of one to attend to the printing of said rules.

The Senate committee to notify the House reported that that body would be ready to meet the Senate in joint convention at 12 o'clock.

Report received, and committee discharged.

JOINT SESSION OF LEGISLATURE.

The Senate then proceeded in a body to the hall of the House of Representatives, where in joint convention of both houses the votes for two United States senators in each house were canvassed; President Charles E. Laughton of the Senate presiding.

The result showed that on the first vote in the Senate John B. Allen received 25 votes; George Turner received 6 votes; Watson C. Squire received 2 votes; Chauncey W. Griggs received 1 vote; 34 votes cast.

The second vote in the Senate, as shown by the journal, was as

follows: Watson C. Squire received 30 votes; John W. Sprague received 3 votes; C. S. Voorhees received 1 vote; 34 votes cast.

The vote, as shown by the journal, of the House of Representatives was as follows: On the first vote for United States senator John B. Allen received 46 votes; George Turner received 14 votes; Charles S. Voorhees received 8 votes; Thomas H. Brents received 1 vote; total, 69 votes.

On the second vote for United States senator in the House it was shown that Watson C. Squire received 46 votes; John W. Sprague received 10 votes; W. J. Thompson received 3 votes; Chauncey W. Griggs received 8 votes; George Turner received 1 vote; John F. Gowey received one vote; total 69 votes.

It appearing that John B. Allen and Watson C. Squire had received a majority of all the votes cast in each house, President Laughton of the joint convention declared John B. Allen and Watson C. Squire duly elected members of congress to represent the State of Washington in the Senate of the United States.

Upon the adjournment of the joint convention the Senate returned to the Senate chamber, and on motion of Senator L. F. Thompson at 12:40 adjourned until to-morrow at 1 o'clock P. M.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, November 21, 1889,
1 o'clock P. M.

Senate called to order pursuant to adjournment; the president in the chair.

Roll called; all members present except Senator Snow, absent on leave, and Senators Fairweather and Thompson (G. T.), excused.

Prayer offered by the Rev. J. R. Chaplin of Olympia.

Journal of yesterday read and approved.

Senator Whalley called to the chair temporarily by the president.

Senator Kinnear offered the following:

SENATE CONCURRENT RESOLUTION NO. 6.

Be it resolved by the Senate, the House of Representatives concurring, That, until otherwise provided by law, the supreme court of the State of Washington may hold its sessions in the new library room of the Capitol

at Olympia, and the clerk of said court may have his office in the same place.

Adopted.

Senator Luce offered the following:

MR. PRESIDENT:

We, your committee on rules and joint rules, beg leave to report that at a joint conference of the Senate and House committees the accompanying rules were agreed to as the joint rules of the Legislature. We, therefore, respectfully recommend their adoption.

F. H. LUCE, Chairman.

The joint rules were read.

On motion of Senator Houghton, rule 7 was amended by inserting "and claims" after the title, and adding to the rule the following: "The standing committee on claims of the two houses shall be a joint standing committee."

Senator Houghton was appointed by the chair a committee of one to see that the amendment was properly inserted.

The report of committee on the joint rules was then adopted on motion of Senator Long.

On motion of Senator Long, the report of the committee on Senate rules was then taken up and read by paragraphs.

Senator Wilson moved that the word "with" be inserted after the word "dispensed," in the sixth line of paragraph 9.

Senator Houghton moved that section 9 be amended by inserting after the word "by," in the first line "the chairman thereof," and striking out "such members thereof as concur therein," and in line 7 to change the word "shall" to "may."

Senator Rinehart moved the amend the amendment by inserting the word "or" after the word "chairman," and strike out the word "thereof."

Senator Wood offered the following as a substitute:

NINE.

All reports of committees shall be signed by such members thereof as concur therein, or by the chairman for such concurring members (naming them), and the report, with the names by or for whom the same is signed, shall be read by the secretary, or at the secretary's desk by the member making the report, without a motion, unless the reading be dispensed with by the Senate. The members of the committee not concurring in the majority report may prepare a written minority report, sign and present the same to the Senate, and both majority and minority reports shall in all cases be spread in full upon the journal.

The first part of the substitute down to and including the word "Senate" in the sixth line was adopted. The rest of the substitute was adopted by the following yea and nay vote:

Yeas: Baker, Drum, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Jones, Kinnear, Lawrence, Preston, Payne, Rinehart, Seaborg, Vestal, Van Houten, Watt, Wood, Wooding — 20.

Nays: Austin, Clough, Kneeland, Landes, Long, Luce, Owings, Parkinson, Thompson (of Pierce), Wilson, Whalley, Wolfe — 12.

Paragraph 9 was then adopted as amended.

In paragraph 31, Senator Rinehart moved to strike out "500" and insert "300."

Lost.

The chief clerk of the House here appeared and informed the Senate that the House had concurred in Senate concurrent resolution No. 6, relative to the supreme court occupying the library room at the capitol.

On motion of Senator Wilson, the word "up," in the first line of paragraph 51, was stricken out.

A clerical error in paragraph 52 was corrected.

On motion of Senator Kinnear, the words "at his seat," in line 5, paragraph 58, were stricken out, and the words "within the bar of the Senate" inserted.

Senator Wood offered an amendment to rule 58, relative to explanation of votes of senators, which was not adopted.

On motion of Senator Kinnear, paragraph 20 was stricken out.

Senator Payne moved that in paragraph 6, line 34, the word "five" be stricken out and "seven" inserted, and in line 39, same paragraph, the word "five" be stricken out and the word "seven" inserted.

Adopted.

On motion of Senator Rinehart, the last two words in paragraph 37, were transposed.

The rules were then adopted as a whole.

Senator Kinnear moved that the report of the committee be amended by striking out all but the last paragraph, which recommends that 100 copies in pamphlet form be printed at once for immediate use.

The yeas and nays were called for by Senators Kinnear, Rinehart, Lawrence, Hunsaker, Jones and Clough, and resulted as follows:

Yeas: Baker, Forsyth, Guilfoil, Hunsaker, Kinnear, Lawrence, Rinehart—7.

Nays: Austin, Clough, Drum, Fariss, Houghton, Hyde, Jones, Kneeland, Landes, Long, Luce, Owings, Preston, Payne, Parkinson, Seaborg, Thompson (L. F.), Vestal, Van Houten, Watt, Wilson, Whalley, Wolfe, Wood, Wooding—25.

Senator Kinnear moved to amend the committee's report by striking out the words, "the constitution of the State of Washington."

Lost.

On motion of Senator Houghton, the "Enabling Act of Congress" was ordered to be included in the printed pamphlet.

On motion of Senator Kinnear, the words "in paper" were inserted after the words "substantially bound."

Senator Drum moved to strike out "250 copies" in the report and insert "1,000."

Lost.

The report of the committee on rules was then adopted, as amended.

Senator Parkinson then offered the following:

Resolved, That permission be granted for providing a lunch stand in the entry to this chamber, and that the sergeant-at-arms select the person who shall own or provide the same.

Lost.

On motion of Senator Houghton, the Senate at 3:40 P. M., by a divisional vote of 24 in the affirmative, adjourned until 10:30 o'clock A. M. 22d inst.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, November 22, 1889.
10:30 o'clock A. M.

Senate called to order, pursuant to adjournment; the president in the chair.

Roll called, all present, except Senator Snow, absent on leave.

Prayer offered by Rev. G. A. Landen of Olympia.

Journal of yesterday read and approved.

Senator Houghton introduced the following:

Resolved, That the secretary of state and state treasurer be requested to furnish the Senate, for its information, with a statement of the financial resources and liabilities of the state.

Adopted.

On motion of Senator Owings, the sergeant-at-arms was instructed to procure a copy of the code of Washington Territory and such other enactments as there are on hand, one copy of each for each senator and the president.

Senator Lawrence, chairman of the committee on invitation to clergymen, made a report, stating that an invitation had been extended to all the clergymen of Olympia, who had agreed to be present this week, and suggested that it would be more convenient to have one elected if the Senate would conclude that a chaplain could be elected and paid.

On motion of Senator Rinehart, the report was laid on the table for the present.

Senator Kneeland, chairman of the joint committee on salaries and compensation of the employes of the Senate and House, made a report, as follows:

MR. PRESIDENT AND GENTLEMEN OF THE SENATE:

Your committee on salaries and compensations, appointed to confer with a similar committee from the House, would most respectfully report that they have agreed upon the amount of salaries or compensations that shall be paid to each of the employes in the Senate and House, excepting the committee clerks—these, we believe, were put out of our reach by a motion which passed the Senate, that committee clerks could only be employed by members of committees, who should apply to the Senate for, and obtain from the Senate, permission to employ such committee clerks, at a compensation to be fixed by the Senate, and a list of such compensations is herewith submitted.

Your committee would also recommend that the president of the Senate be allowed to employ, during this session of the Senate, one clerk at a salary not to exceed four dollars per diem.

W. H. KNEELAND,
THOMAS F. PAYNE,
ALEXANDER WATT,
J. HUNSAKER,
J. H. LONG.

Chief clerk of the Senate	$7 00
Chief clerk of the House	7 00
Assistant clerk of the Senate	5 00
Assistant clerk of the House	5 00

Journal clerk of the House and Senate	$4 00
Enrolling clerk of the House and Senate	4 00
Assistant enrolling clerk of the House	4 00
Engrossing clerk of the House and Senate	4 00
Copying clerk of the Senate	4 00
Docket clerk of the House	4 00
Doorkeeper of the House	5 00
Sergeant-at-Arms of the Senate	6 00
Assistant sergeant-at-arms of the Senate	5 00
Sergeant-at-arms of the House	5 00
Assistant sergeant-at-arms of the House	5 00
Messenger and postmaster of the Senate and House	4 00
Assistant messenger and postmaster of the House	4 00
Assistant doorkeeper of the House	4 00
Watchman of the Senate and House	4 00
Pages of the Senate and House	2 00
Secretary to speaker of the House	4 00
Janitor of the Senate committee rooms	3 50
Porter of the Senate	3 50

The report was, on motion of Senator Rinehart, adopted.

On motion of Senator Wilson, the members of the press were extended the privileges of the Senate floor.

On motion of Senator Houghton, a committee of three senators was appointed to wait upon the House and inform that body that the Senate was ready to meet them in joint session to hear the message of Governor E. P. Ferry.

The president appointed Senators Houghton, Vestal and Drum as such committee. They repaired to the House, and, on returning, informed the Senate that the House was ready to meet them.

JOINT SESSION.

On motion of Senator Kinnear, the Senate proceeded in a body to the hall of the House of Representatives, where the Senate and House met in joint convention, President Laughton presiding.

A call of the roll of the Senate and House was had, and a quorum of each found present.

Governor Ferry was introduced by a committee of three, as follows: Senator L. F. Thompson and Representatives Browne (of Pierce) and Grant.

The governor then delivered his first message, after which the two houses dissolved.

THE FIRST MESSAGE.

MESSAGE OF GOVERNOR E. P. FERRY, DELIVERED TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF WASHINGTON, IN JOINT SESSION ASSEMBLED, NOVEMBER 22, 1889.

Gentlemen of the Senate and House of Representatives:

The convening of the first Legislature of the State of Washington is a most important event in our history, and, as the representative of the executive department, I extend to you my sincere congratulations. The great honor which has been conferred upon you by your fellow citizens is a marked one, which cannot fail to awaken in you pardonable feelings of pride and gratification. Other Legislatures of Washington there will be, but this is the first. You are the pioneers of state legislation. To you has been assigned the work of laying the foundation upon which the lawmakers of the future will build; of so establishing the institutions of the state that they will be in keeping with the modest present, yet capable of expansion to meet the requirements of the future; and you have the great privilege of bearing a most important part in the founding of the state government.

While the position which you occupy is one of peculiar honor, the duties pertaining to it are also of peculiar responsibility. The powers possessed by you are limited only by the constitution of the United States and of this state. It is your province to make precedents, not to follow them; to mark the way, that others may walk in the path which you have made. Your position is unparalleled, so far as this commonwealth is concerned. The situation of the State of Washington is like that of a young man entering upon the serious business of life. In his mind are the precepts which he has learned in childhood and in youth. Before and about him are the examples of others who have entered upon their active career under similar circumstances to those in which he is placed. Behind him are incomplete and unsatisfactory experiences, which are totally inadequate to serve as guides for future acts, or to furnish rules for future conduct. The commonwealth of Washington has arrived at manhood. Its childhood, its youth, are passed. It has to guide it the example of other states, which have been similarly situated, together with the incomplete experiences of its own period of territorial existence. It is your high prerogative and imperative duty to start it aright in the larger life upon which it is now entering.

CONSTITUTIONAL REQUIREMENTS.

The constitution of the State of Washington designates certain legislation which should be enacted. Although this duty is not directly imposed upon you, yet it is evident that it was intended that the subjects referred to should be considered by the first Legislature. Of the matters to which your attention is thus pointedly directed, I will refer briefly in the order in which they are presented in the constitution.

CONVICT LABOR.

After the first day of January next the labor convicts in the penitentiary cannot be let out to any person or corporation, and you are required to provide for the working of convicts for the benefit of the state. Early legislation upon this subject is necessary in order that the system of labor adopted by you may go into operation on the first day of the coming year, which is clearly intended by the constitution.

BUREAU OF STATISTICS, AGRICULTURE AND IMMIGRATION.

The constitution provides (article 2, section 34.) that "there shall be established in the office of the secretary of state a Bureau of Statistics, Agriculture and Immigration, under such regulations as the Legislature may provide." It becomes your duty, therefore, to establish such a bureau and to prescribe the duties and to provide for the compensation of such officers as may become necessary for its successful operation. The name given to the proposed bureau by the constitution sufficiently indicates its general scope, and it is your duty to make such provision as in your judgment will best attain the end which is obviously designed.

PROTECTION OF MINERS AND OTHERS.

You are also directed (article 2, section 35,) to "pass necessary laws for the protection of persons working in mines, factories and other employments dangerous to life or deleterious to health," and to "fix pains and penalties for the enforcement of the same." There is a mining law now in force which has given general satisfaction to those most interested in its operation. This law, modified in some particulars, and so extended in scope as to apply to persons employed in other lines of industry, as well as to miners, would doubtless meet the requirements of the constitution and give protection to those for whom it is designed. This is a subject to which I would earnestly direct your attention. The citizen has a right to look to the state for the fullest possible protection against bodily injury in his efforts to secure a livelihood, no less than against injury which is designed and malicious. The enactment of a law which will carry out the provisions of this section to their fullest extent would be as acceptable to the people of the state as it would be beneficial to those who are engaged in dangerous employments.

FREE PASSES.

I direct your attention to section 39 of article 2, which is as follows:

"It shall not be lawful for any person holding office in this state to accept or use a pass, or to purchase transportation from any railroad or other corporation, other than as the same may be purchased by the general public, and the Legislature shall pass laws to enforce this provision."

You will observe that this section specifically directs you to enact a law for the accomplishment of a stated purpose. In connection with this subject, I also direct your attention to section 20, article 12, and suggest the enactment of a law to carry those sections into effect.

COMMISSIONER OF PUBLIC LANDS.

It will be necessary for you to prescribe the duties and fix the compensation of the commissioner of public lands. This office is created by the constitution; the incumbent has been elected by the people; but no powers have been conferred upon him or duties prescribed. It is to be inferred from the title given to this officer, that it was designed that he should have the management and control of all lands donated by the general government to the state, but the powers and duties to be exercised and discharged by him are subjects over which you have full control. It is needless for me to say that until there is legislation, this officer, although elected and qualified, can perform no duties.

JUSTICES OF THE PEACE.

You are required to "determine the number of justices of the peace to be elected in corporate cities and towns and in precincts," and to prescribe their powers, duties and jurisdiction.

ELECTIONS.

In the matter of elections, the constitution confers upon you large powers, prescribing, for the most part, however, in what direction they shall be used. You are instructed to provide a method of voting which will secure to every elector absolute secrecy in preparing and depositing his ballot. In devising such a method you are allowed the largest freedom of action, the only limitation being the provision that elections shall be by ballot. It is not necessary, nor do I desire to indicate a choice between any of the methods for securing a secret ballot, which may be urged upon you. In this matter you should exercise the utmost care, for upon the preservation of the purity of the ballot depends in a great measure the success of our institutions, and without absolute secrecy we cannot hope to attain even a reasonable degree of purity in our elections. You are also directed to enact a registration law to be enforced in cities and towns having a population of more than 500. In addition to this, you may, in your discretion, provide for the registration of every elector in the state as a prerequisite to the right to vote. You may adopt one system of registration in cities and towns having a population of more than 500, and another applicable to all other portions of the state. This should receive your careful attention. The safeguards to be thrown around the ballot box to prevent fraud and corruption cannot be too many nor too stringent.

REVENUE AND TAXATION.

I desire to call your attention to the article of the constitution relating to revenue and taxation. The matter of raising revenue to defray the expenses of the state government, to insure the maintenance of its institutions, and to pay the principal and interest of any debt that now exists, or that may hereafter be incurred, is left in your hands. There are however, several important restrictions of which you should not lose sight. Taxation shall be annual, and the rate of assessment and taxation

of all property in the state shall be uniform and equal. The property of the United States and of the state, counties, school districts and municipal corporations shall be exempt from taxation by general law. You also have the right to exempt other property from taxation by general laws: *Provided, however,* that the property of corporations shall be taxed equally with, and similarly to, the property of individuals. You are also directed to provide for the annual publication of a statement of the receipts and disbursements of public moneys. By the wise use of the powers granted to you in this article depends, in a great measure, the success or failure of the state government. The power of taxation is one of the most important delegated by the people to their representatives. It is not to be assumed that the laws which you enact relative to taxation will not be changed by succeeding Legislatures, but it is most important that we start aright. If no mistakes are made now, the probability of mistakes in the future are not to be presumed. I urge you, therefore, not only in behalf of those who are now residents of the state, and who are deeply interested in this matter, but in behalf of those who will hereafter become citizens, to bestow upon this subject your best and most thoughtful consideration.

EDUCATION.

It will also become your duty, under the constitution, to provide for a general and uniform system of popular education, to include common schools, and such high schools, normal schools and technical schools as may be established. In the performance of this duty you should strive for nothing short of perfection. Upon public education depends the success of free governments. Education brings out all that is noblest and best in man. Without it his best efforts are misdirected and rendered of no value. Upon education depends intelligence, conservatism and respect for law; without which successful government by the people is impossible. The system of education which you devise for this state cannot be too broad nor too liberal, and the standard which you fix cannot be too high. In this connection I desire to commend to your consideration the Territorial University, which should be reorganized and its name changed to "The Washington State University." This institution should be made worthy of our commonwealth and a fit coping stone for our educational system.

THE MILITIA.

It will be your duty to provide by law for organizing and disciplining the militia and for the protection and safe-keeping of the public arms. The organized militia of the commonwealth, known as the National Guard, has made great progress during the past few years and is now in a very creditable state of efficieney. It is provided with the latest arms, and with complete equipments, and though small, will compare favorably in point of discipline and in the character of its officers and men, with the organized militia of any state in the Union. The National Guard of Washington has on several occasions given abundant evidence that it can be depended upon to maintain order in any emergency that may arise.

Provision should be made to increase the militia force proportionately to the increase in population and wealth of the state, in order that the state may always have on hand a disciplined body of men who will give confidence at any time of danger, and maintain its authority at times of public disturbance.

SOLDIERS' HOME.

The constitution also directs you to provide by law for the maintenance of a soldiers' home for honorably discharged Union soldiers, sailors and marines, and members of the state militia disabled in the line of duty. I would recommend that the scope of this projected institution be so enlarged that its benefits may be shared by citizens of the state who have been honorably discharged after service in any of the wars of the republic, and who have been disabled while serving the United States or the Territory of Washington in any of the Indian wars that have taken place within the borders of this state.

COUNTY AND MUNICIPAL GOVERNMENTS.

I desire to direct your attention to sections 4, 5, 8 and 10 of article XI of the constitution, relating to the subject of county and municipal government. In accordance with these sections it will be your duty to provide a uniform system of county and township government; to provide for the election of county, district and precinct officers, and to fix the compensation by salaries of county officers and of constables in cities having a population of 5,000 or more. It will also be your duty to provide by general laws for the incorporation, organization and classification of cities and towns. You have the power to permit cities containing a population of 25,000 inhabitants or more to form charters for their own government, according to the method prescribed by the constitution. It is well known that several cities of the state have outgrown their several charters and will seek to avail themselves of this provision of the constitution. This subject will doubtless soon be brought before you by the action of these cities.

CORPORATIONS.

On the subject of coporations the constitution is very explicit. Any legislation bearing upon this subject must be so framed as to meet numerous requirements and to come within numerous limitations. No subject which will come before you will be more worthy than this of careful consideration. On the one hand, you should avoid the passage of laws which will have the tendency to prevent the investment of foreign capital in the state and discourage the inception of large enterprises. The development of the resources of our state has just begun and any legislation which is too restrictive upon corporations will materially retard the advancement of the commonwealth. On the other hand, it is your duty to enact laws which will prevent, so far as is possible, the unjust use of the great powers which are necessarily conferred upon corporations. You have in this respect a double duty toward the people. You should stimulate the developement of our resources by encouraging the invest-

ment of capital, whether it be that of corporations or that of individuals, but you should also enact legislation which will effectually protect the individual against every probable aggression on the part of corporations. You are specifically directed to "pass laws establishing reasonable maximum rates of charges for the transportation of passengers and freight, and to correct abuses and prevent discrimination and extortion in the rates of freight and passenger tariffs on the different railroads and other common carriers in the state, and to enforce such laws by adequate penalties." You also have power to establish a railroad and transportation commission.

REFORMATORY INSTITUTION.

There is one duty indirectly imposed upon you by the constitution to which I desire to direct your attention. You should, without unnecessary delay, enact legislation looking to the establishment of a reformatory institution for depraved and vicious youth. The fact that no institution of this kind exists has been a reproach to our commonwealth. Youthful offenders must either be confined in the penitentiary with hardened criminals or permitted to be at large. Against the former of these alternatives, judges and juries are disinclined, and such offenders are usually dismissed with a reprimand or confined for a short period in a county jail, no matter how serious the offense may have been. The effect of such leniency is bad, both upon those to whom it is extended and upon their friends and companions. Further than this, there is to be found in all our large cities a class of young boys who defy parental authority and have little regard for rights of property. They are well acquainted with the police court and have no fear of arrest, as it is too frequently followed by release with no further punishment than a reprimand. It is most pernicious to permit such youth to grow to manhood in vice and ignorance without an effort to reclaim them. An institution in which such efforts would be made is imperatively needed, and the first Legislature of the new state should not adjourn without enacting necessary legislation for its establishment.

HARBOR COMMISSION.

The duty is imposed upon you by article 16 of the constitution to appoint a commission to locate and establish harbor lines in navigable waters in front of the cities in the state and to provide by general laws for the leasing of the right to build wharves, docks and other structures within the harbor lines that may be established. This is a very important subject and should receive your early attention. Any legislation assertive of the rights of the state to areas referred to in article 16 will be also carrying out the declaration in article 17 of the constitution, and will facilitate an early settlement by judicial tribunals of the conflicting claims to what are designated in the constitution as "tide lands."

STATE BOARD OF HEALTH.

Article XX provides for the organization of a state board of health and bureau of vital statistics, with such powers as you may direct, and for the enactment of laws regulating the practice of medicine and the

sale of drugs and medicines. The benefit arising from laws enacted in other states of the character here indicated have been so apparent that I need only direct your attention to the subject.

AFFAIRS OF STATE.

There will be laid before you the respective reports of the late territorial treasurer, territorial auditor and other officers having charge of different departments under the late territorial government. From these you will ascertain the condition of the affairs of the state, and be enabled to take such action upon financial and other kindred subjects as you may deem necessary and proper.

STATE LANDS.

The general government welcomes us into the Union with munificent endowments of lands to be applied to educational purposes and the establishment and maintenance of charitable, penal and reformatory institutions, and for public buildings at the state capital. In addition to sections 16 and 36, which, under certain restrictions and limitations, are granted for the support of common schools in the state, there are further grants as follows: For erecting public buildings at the capital for legislative, executive and judicial purposes, 132,000 acres; for the establishment and maintenance of a scientific school, 100,000 acres; for state normal schools, 100,000 acres; for state charitable, educational, penal and reformatory institutions, 200,000 acres. The lands granted for other than educational purposes can be disposed of by the Legislature in such manner as it may deem most conducive to the interests of the state; the only limitation imposed by the general government being that they shall be held, appropriated and disposed of exclusively for the purposes mentioned. The general government has obligated itself to pay to the state five per centum of the net proceeds of public lands lying within the state, which shall be sold by the United States subsequent to our admission as a state. This is to constitute a permanent fund, the interest of which only can be expended for the support of common schools. The revenue to be derived from this source will be annually augmented and will continue so long as sales of public lands in the state are made by the United States. The state will also be entitled to that portion of the seventy-two sections granted by act of congress, July 17, 1854, for an University, which it has not received.

CONCLUSION.

The last years of the commonwealth under territorial government have been years of prosperity. The population of Washington has increased at a marvelous rate, and the development of its resources have gone forward without interruption. With careful legislation and with efficient and systematic efforts toward the development of our great resources, the prosperity with which we are at present blessed should continue indefinitely. The possibilities of our commonwealth are great, and we may, with confidence, assert that there are those now living who will see Washington one of the most populous and wealthy and in every way one of the most important states of the great Union in which it has

just been admitted under such favorable auspices and with such a hearty welcome. To be the first law-makers of this state is your great privilege. May the Supreme Ruler of the universe aid and direct you in the discharge of your arduous and responsible duties. In all measures devised by you for the advancement of the prosperity of our state and for the welfare of our people you will have my active and zealous coöperation.

ELISHA P. FERRY.

The Senate re-assembled in the Senate chamber, President Laughton in the chair.

INTRODUCTION OF BILLS.

By Senator Parkinson: Senate bill No. 1, An act concerning the appointment and qualification, duties and fees of notaries public.

Read first time, rules suspended, read a second time by title, and referred to the Judiciary Committee.

By Senator Kinnear: Senate bill No. 2, An act relating to trusts and combinations carried on for the purpose of fixing the price, limiting the production or regulating the transportion of any product or commodity.

The rules were, on motion, suspended, the bill read by its title a first and second time, and referred to the Committee on Commerce.

Also, Senate bill No. 3, An act relating to the organization, powers and duties of the supreme court.

The rules were, on motion, suspended, the bill read a first and second time, and referred to the Judiciary Committee.

Also, Senate bill No. 4, An act to regulate primary elections of voluntary political associations and to punish frauds therein.

The rules were, on motion, suspended, the bill read a first and second time, and referred to the Committee on Elections.

By Senator Whalley: Senate bill No. 5, An act for the incorporation of cities and towns in the State of Washington of less than 20,000 inhabitants, and providing for the re-organization of existing municipal corporations.

The rules were, on motion, suspended, the bill read first and second time by title, and referred to the Committee on Municipal Corporations.

By Senator Baker: Senate bill No. 6, An act to continue notaries public in office and to validate certain of their acts.

The rules were, on motion, suspended, the bill read first and second time, and referred to the Judiciary Committee.

Senator Owings moved that 5,000 copies of the governor's message be printed.

Senator Drum moved to amend to include the inaugural address of the governor.

Agreed to.

President Laughton announced the appointment of Miss Bertha M. Denton as his clerk, in accordance with the report of the joint committee on salaries.

Senator Owings moved to adjourn until to-morrow at 10 o'clock A. M.

Senator Kinnear moved to amend to adjourn until next Monday at 1 o'clock P. M.

Senator Thompson (G. T.) moved to amend the amendment to adjourn until next Tuesday at 1 o'clock P. M.

Lost, by a divisional vote of 10 in the affirmative and 21 in the negative.

On Senator Kinnear's amendment the yeas and nays were asked for by Senators Wilson, Lawrence, Rinehart, Kinnear and Wood.

The amendment was adopted, by the following vote:

Yeas: Austin, Baker, Drum, Fariss, Guilfoil, Kinnear, Kneeland, Landes, Long, Owings, Payne, Rinehart, Seaborg, Thompson (of Pierce), Thompson (of Walla Walla), Whalley, Wood, Wooding — 18.

Nays: Clough, Fairweather, Forsythe, Houghton, Hunsaker, Hyde, Jones, Lawrence, Luce, Preston, Parkinson, Vestal, Van Houten, Watt, Wilson, Wolfe — 16.

The Senate, at 12:15 P. M., then adjourned until Monday, 1 o'clock P. M., the 25th inst.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, November 25, 1889.
1 o'clock P. M.

Senate called to order, pursuant to adjournment; the president in the chair.

Roll called, all present excepting Senator Snow, absent on leave,

and Senators Payne, Thompson, Guilfoil and Jones, excused from attendance for one day.

Journal of Friday, 22d inst., read and approved.

The Senate standing committees, announced by the president, are as follows:

STANDING COMMITTEES OF THE SENATE.

Agriculture—Thompson (of Pierce), Long, Fariss.

Claims—Rinehart, Vestal, Hunsaker.

Commerce—Seaborg, Jones, Hunsaker.

Constitution and Revision—Houghton, Wood, Kinnear.

Corporations, other than Municipal—Owings, Parkinson, Luce, Houghton, Austin.

County and County Boundaries—Guilfoil, Thompson (of Pierce), Fariss.

Education—Lawrence, Parkinson, Drum.

Elections and Privileges—Watt, Austin, Fairweather.

Engrossed Bills—Payne, Baker, Lawrence.

Enrolled Bills—Snow, Rinehart, Drum.

Federal Relations—Wood, Whalley, Houghton.

Fisheries—Wooding, Seaborg, Forsyth.

Harbor Lines and Navigable Streams—Kneeland, Fairweather, Parkinson.

Indian Affairs—Van Houten, Wilson, Thompson (of Pierce).

Internal Improvements—Whalley, Wilson, Owings.

Judiciary—Kinnear, Whalley, Thompson (of Walla Walla), Houghton, Baker, Payne, Wood.

Medicine, Surgery, Hygiene and Dentistry—Luce, Snow, Hyde.

Labor and Labor Statistics—Jones, Whalley, Watt.

Manufactures—Baker, Wolfe, Preston.

Memorials—Forsyth, Seaborg, Rinehart.

Military—Landes, Wood, Fairweather.

Mines and Mining—Jones, Hunsaker, Luce.

Municipal Corporations—Vestal, Rinehart, Watt.

Printing—Wilson, Wolfe, Hyde.

Public Buildings and Grounds—Fariss, Thompson (of Walla Walla), Wolfe.

Public Morals—Thompson (of Walla Walla), Landes, Watt.

Public Revenue and Taxation—Fairweather, Wilson, Van Houten, Long, Wooding, Vestal, Landes, Drum, Hunsaker.

Roads, Bridges and Fences—Long, Fariss, Hyde.

Rules and Joint Rules—Kinnear, Kneeland, Owings, Payne, Seaborg.

Salaries and Mileage—Wolfe, Clough, Thompson (of Walla Walla).

State, Granted and School Lands—Parkinson, Snow, Thompson (of Pierce), Guilfoil, Van Houten, Long, Clough.

State Library—Guilfoil, Lawrence, Preston.

State Prison—Preston, Jones, Baker.

State Insane—Hyde, Lawrence, Kneeland.

State School for Defective Youth—Clough, Forsyth, Wooding.

State Tide Lands—Austin, Landes, Snow, Luce, Van Houten, Kneeland, Wooding.

Memorial No. 1, relative to Indian war claims, was presented by Senator Clough, by request, read first time, rules suspended, read second time by title, and referred to the committee on memorials.

Senator Kinnear gave notice that at to-morrow's session he would offer a concurrent resolution to amend the joint rules of the Senate and House by striking out the words "Chief and assistant clerks of the Senate," and substituting therefor "Secretary and assistant secretary of the Senate."

Senator Fairweather offered the following:

Resolved, That the Committee on Printing be instructed to have printed, on card-board, in condensed form, for use of the Senate and House, 250 lists of the standing committees of the Senate.

Adopted.

Senator Owings presented memorial No. 2, which was read first time, rules suspended and read second time, and referred to the Committee on Federal Relations.

Two hundred and fifty copies were ordered printed.

To the Honorable Senate and House of Representatives of the United States, in Congress Assembled:

Your memorialists, the Legislature of the State of Washington, would most respectfully represent, that

WHEREAS, Under and by virtue of an act of congress, approved February 22, 1889, entitled "An act to provide for the division of Dakota into two states, and to enable the people of North Dakota, South Dakota, Montana and Washington to form constitutions and state governments, and to be admitted into the Union on an equal footing with the original states, and to make donations of public lands to such states," our just and beneficent national government has granted to the young State of Washington a magnificent heritage of more than seven hundred and fifty thousand acres of the fertile lands within her borders, to be utilized in the erection of public buildings, colleges and universities of learning, and the maintenance of the same, the prosecution of internal improvements, and the upbuilding and fostering of a free public school system—that bulwark of our liberties; and

WHEREAS, The loss to our state of any part of this munificent donation would be irreparable and disastrous to the commonwealth, and if permitted, a grievous wrong to future generations; and

WHEREAS, Under the existing conditions of a rapidly increasing population, already great, striving to appropriate to individual benefit the public lands within our state, it is absolutely certain that under the various public land laws now in force, such appropriation of all desirable

tracts of such lands will be effected before the selection of lands for the state under such donation can be accomplished as now provided by law; and

WHEREAS, It is absolutely necessary, in order that the intention of the national government may be fully carried out in pursuance of the spirit prompting such donation, and that the state may not be dispoiled of the precious gift, that congress take legislative action in order that section 19 of said act may be rendered operative and of full force, and that the public lands within the state may not be entirely appropriated by individuals before the same is surveyed, or an opportunity given for a selection of lands under such donation on behalf of the state;

Therefore, We most earnestly and respectfully petition your honorable bodies that you enact such legislation as will effect the purpose of that part of said act relating to the donation of lands to the State of Washington, and effectually prevent the appropriation by individuals of any of the public domain within the State of Washington until a reasonable time and proper opportunity have been given, subsequent to the filing of the plats of such lands in the local land offices, for selections of said lands to be made on behalf of the state.

Resolved, That the secretary of state is hereby directed to furnish a certified copy of this memorial to each of our senators and our representative in congress; also one copy to the chairman of the committee on public lands in the Senate of the United States; and one copy to the chairman of the committee of public lands of the House of Representatives, commissioner of general land office and secretary of the interior.

And your memorialists will ever pray.

Senator Luce gave notice that he would introduce a bill to-morrow regulating the number of officers and employes of the Senate, and their salaries.

The following was then read:

STATE OF WASHINGTON,
OFFICE OF THE SECRETARY OF STATE.
OLYMPIA, November 25, 1889.

SIR: I have just been officially informed that the Senate passed a resolution on the 22d inst., as follows:

"*Resolved*, That the secretary of state and state treasurer be requested to furnish the Senate for its information with a statement of the financial resources and liabilities of the state."

I have the honor to inform you that there is no data in the office of the secretary of state covering the information asked for. In order to facilitate the business of the Senate, however, I have referred the resolution in question to the state auditor, who will doubtless give it immediate attention.

Very respectfully,

ALLEN WEIR,
Secretary of State.

To the Hon. CHAS. E. LAUGHTON, President State Senate.

Also the following:

OFFICE OF THE STATE TREASURER,
OLYMPIA, November 25, 1889.

Hon. Chas. E. Laughton, Lieutenant-Governor and President of the Senate:

SIR: In response to the Senate resolution requesting information as to the financial resources and liabilities of the state, I beg to state that the records of this office do not furnish the requisite data for a satisfactory answer.

Such information can be found in the records of the state auditor, to whom I have accordingly referred your communication, with a request that he should report to your honorable body at his earliest convenience.

Very respectfully,
A. A. LINDSLEY,
State Treasurer.

They were ordered to be received and spread upon the Journal.

INTRODUCTION OF BILLS.

By Senator Kinnear: Senate bill No. 7, An act to provide for printing and distributing ballots at the public expense, and to regulate voting at state and other elections.

The rules were suspended, the bill read first and second time, and referred to Committee on Elections.

Also, Senate bill No. 8, An act declaring it unlawful to organize, maintain or employ an armed body of men in this state, and providing punishment therefor.

Rules suspended, bill read first and second time, and referred to Committee on Military.

Also, Senate bill No. 9, An act to prohibit the making of profit out of or the use for any purpose not allowed by law of any county, city or town, of any public money by any officer, his agent, clerk, servant or employe having the possession or control thereof, and providing punishment therefor.

Rules were suspended, read first and second time, and referred to the Committee on Judiciary.

By Senator Long: Senate bill No. 10, An act authorizing the governor to appoint a commission to examine and report upon the work of the code commission reported to the legislature, and fixing their compensation.

Rules suspended, read a first and second time, and referred to the Committee on Judiciary.

By Senator Lawrence: Senate bill No. 11, An act providing for the location of the Agricultural College of the State of Washington.

Rules suspended, read first and second time, and referred to the Committee on Agriculture.

By Senator Wilson: Senate bill No. 12, An act to establish a State Normal School.

Rules suspended, read first and second time, and referred to the Committee on Education.

By Senator Rinehart: Senate bill No. 13, An act relating to the offices and official acts of notaries public of the late Territory of Washington.

Rules suspended, read first and second time, and referred to the Committee on Judiciary.

By Senator Drum: Senate bill No. 14, An act concerning elections, providing penalties for the violating of the same, and repealing all laws in conflict therewith.

Rules suspended, read first and second time, and referred to the Committee on Elections and Privileges.

By Senator Parkinson: Senate bill No. 15, An act to establish and maintain a soldiers' and sailors' home in the State of Washington, and making an appropriation for the purchase of land and the construction of the necessary buildings.

Rules suspended, read first and second time, and referred to the Committee on Military.

The clerk of the House appeared with a communication, notifying the Senate that the House had made sundry amendments to the report of the Joint Committee on Salaries.

On motion of Senator Whalley, the communication from the code commission, laid on the table the 20th inst., was taken up for action.

Senator Houghton offered Senate concurrent resolution No. 7, as follows:

WHEREAS, The code commission heretofore appointed has submitted to the Senate and House of Representatives its report that said commission has prepared a code for the State of Washington; therefore, be it

Resolved by the Senate, the House of Representatives concurring, That a joint committee be appointed of three from the Senate and five from the House of Representatives, to examine and report on the work of said code commission to the respective branches of the legislature.

Adopted.

On motion of Senator Houghton the communication was ordered not to be printed until after the report of the said joint committee.

The communication from M. M. Holmes, of Seattle, extending thanks of the Seattle Union Veteran Club, which was laid on the table on the 16th inst., was taken up and referred to the Committee on Military.

The amendments made by the House to the report of the Joint Committee on Salaries were read, and Senator Hyde moved that the Senate concur in the House amendments.

Senators Hyde, Lawrence, Long, Austin, Van Houten and Watt called for the yeas and nays on the motion to concur.

It was not agreed to by the following vote:

Yeas: Owings — 1.

Nays: Austin, Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Houghton, Hunsaker, Hyde, Kinnear, Landes, Lawrence, Long, Luce, Preston, Parkinson, Rinehart, Seaborg, Thompson (of Pierce), Vestal, Van Houten, Watt, Wilson, Whalley, Wolfe, Wood, Wooding — 28.

Whereupon the following named conference committee was appointed: Senators Fairweather, Hyde and Wolfe.

On motion of Senator Rineheart, Senator Lawrence's report on the chaplaincy of the Senate, laid on the table on the 22d inst., was taken up and referred to the Committee on Public Morals.

Senator Kinnear asked that the Committee on Judiciary be allowed a clerk at $5 per day.

So ordered.

Senator Parkinson asked that the Committee of State, School and Granted Lands be allowed a clerk.

So ordered.

Senator Lawrence, from the special committee on mileage, submitted a report which was read.

Senator Rinehart moved to lay the report on the table.

Not agreed to by a divisional vote of six in the affirmative and sixteen in the negative.

On motion of Senator Lawrence, the report was referred to the Committee on Revenue and Taxation.

Senator Van Houten was excused by the Senate from attendance until Saturday next.

Senator Kinnear moved that the chairman of the Committee on Printing be empowered to employ the pages and messengers of the Senate to carry matter to be printed to the temporary public printer.

Senator Van Houten moved an amendment to "Authorize the Printing Committee to employ a clerk when necessary."

Not agreed to by a divisional vote of six in the affirmative and eighteen in the negative.

Senator Drum offered the following substitute, which was not adopted.

That the committee clerk, authorized to be employed by the Committee on State, Granted and School Lands, be considered, until further ordered, as a general committee clerk, and such clerk may be called upon to perform any clerical duty pertaining to work of the Senate by the president or any committee thereof.

Senator Long moved to reconsider the vote by which the Committee on State, Granted and School Lands was allowed a clerk.

Adopted.

The question being reconsidered, Senators Long, Hunsaker, Rinehart, Whalley, Austin and Wood then called for the yeas and nays on the question to give the State, Granted and School Lands Committee a clerk, and it was not agreed to by the following vote:

Yeas: Fairweather, Hyde, Kinnear, Kneeland, Landes, Parkinson, Thompson (of Pierce), Van Houten, Wilson—9.

Nays: Austin, Baker, Clough, Drum, Fariss, Forsyth, Houghton, Hunsaker, Lawrence, Long, Luce, Owings, Preston, Rinehart, Seaborg, Vestal, Watt, Whalley, Wolfe, Wood, Wooding—21.

On motion of Senator Wilson, all matter required to be printed for the Senate was ordered to be sent direct from the secretary's desk to the public printer.

On motion of Senator Houghton the Committee on Public Buildings and Grounds was instructed to make a mode of ingress and egress from the outside of the new library room for the convenience of the supreme court.

On motion of Senator Owings, the sergeant-at-arms was instructed to clean out one of the adjoining rooms, and to put up a stove therein.

The clerk of the House announced that the amendment made by the Senate to paragraph seven of the joint rules of the Senate and House had not been concurred in, and asked the Senate to rescind its action thereon. The Senate refused, and the following named committee of conference was appointed: Senators Baker, Hunsaker and Landes.

On motion of Senator Fairweather, the Senate, by a divisional vote

of 16 in the affirmative and 11 in the negative, at 3:20 P. M. adjourned until 1 o'clock to-morrow (26th) P. M.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, November 22, 1889.
1 o'clock P. M.

Senate called to order, pursuant to adjournment; the president in the chair.

Roll called, all absent, excepting Senator Snow, absent on indefinite leave, and Senators Van Houten and Guilfoil, excused.

Journal of yesterday read and approved.

Senator Wooding granted leave of absence for one day.

Senator Guilfoil excused from attendance for one day.

The following changes were announced by the president in the Senate standing committees:

Fisheries—Strike out "Forsyth," insert "Thompson of Walla Walla."

Internal Improvements—Strike out "Wilson," insert "Long."

Salaries and Mileage—Strike out "Thompson of Walla Walla," insert "Forsyth."

State Granted and School Lands—Strike out "Long," insert "Wilson."

Senator Kinnear introduced the following concurrent resolution No. 8, which was adopted:

WHEREAS, The report of the joint committee of the House and Senate, on salaries, adopted on the 23d instant, inadvertently denominates the secretary and assistant secretary of the Senate as the chief clerk and assistant clerk thereof; therefore, be it

Resolved by the Senate, the House concurring, That said report be so amended and corrected that the same shall read, the secretary and assistant secretary of the Senate, instead of chief and assistant clerks thereof.

On motion of Senator Houghton, the following was adopted:

Resolved, by the Senate, That the surveyor-general be requested to furnish the Senate for its information with such facts in regard to the public domain within the State of Washington, relative to the amount of surveyed and unsurveyed lands, and other conditions, as he may possess.

The chief clerk of the House appeared and announced the passage of House concurrent resolution as follows:

Resolved by the House of Representatives, the Senate concurring: That Governor Moore's valedictory be printed with Governor Ferry's inaugural and message.

On motion of Senator Parkinson, the resolution was concurred in.

The president announced as the committee on the part of the Senate to confer with a like committee on the part of the House in accordance with the resolution adopted the 25th inst., relative to the revised code, Senators Kinnear, Houghton and Thompson, (G. T.)

Senator Hunsaker gave notice that he would introduce a bill for the purpose of establishing a reform school in the State of Washington.

Senator Landes, chairman of the Military Committee, reported back a communication from the Seattle Union Veteran Club, with the information that the matters and suggestions and requests contained therein are being promptly and favorably considered.

INTRODUCTION OF BILLS.

By Senator Kinnear: Senate bill No. 16, An act in relation to the organization, power and duties of the superior court.

Rules suspended, read first and second time by title, and referred to the Judiciary Committee.

Also, by request, Senate bill No. 17, An act authorizing the appointment of official short-hand reporters for the superior courts of this state, and prescribing their duties, qualifications and compensations, etc.

Rules suspended, read first and second time by title, and referred to Committee on Judiciary.

Also, Senate Bill No. 18, An act to provide for the establishment and maintenance of a home for honorably discharged Union soldiers, sailors and marines, and also members of the state militia disabled while in the line of duty, and who are *bona fide* citizens of the state.

The rules were suspended, the bill read the first and second time by title, and referred to the Committee on Military Affairs.

Also, Senate Bill No. 19, An act to provide for the registration of the names of electors and to prevent fraud at elections.

The rules suspended, read first and second time by title, and referred to Committee on Elections and Privileges.

Also, Senate Bill No. 20, An act to provide for the appointment, qualification and duties of notaries public, and certifying their official acts.

Rules suspended, read first and second time by title, and referred to Committee on Judiciary.

By Senator Hunsaker: Senate Bill No. 21, An act for the purpose of establishing the form of seal for the several notaries public of the State of Washington.

Rules suspended, read first and second time by title, and referred to the Judiciary Committee.

The chief clerk of the House appeared and announced that the House had appointed Messrs. Herren, Geoghegan and McReavy as a conference committee to confer with the Senate committee on salaries of officers and employes.

At 1:40 o'clock P. M. the Senate adjourned until 10 o'clock A. M. November 27th.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, November 27, 1889.
1 o'clock P. M.

Senate called to order pursuant to adjournment; the President in the chair.

Roll called, all present excepting Senator Snow, absent on indefinite leave, and Senator Thompson (L. F.), Senators Van Houten and Long excused.

Senator Whalley was excused for an indefinite time.

Journal of yesterday read and approved.

Senator Rinehart offered the following, which was adopted.

Resolved, That the sergeant-at-arms be authorized to purchase a closed desk for the safe keeping of the papers and files of the secretary of the Senate; also, to purchase chairs and other supplies for the committee rooms of the Senate committees.

On motion of Senator Baker, the sergeant-at-arms was instructed to have a telephone placed in the building for the use of the members.

Senator Baker, from the conference committee relative to the

amendment of rule seven of the joint rules, recommended that the Senate withdraw its amendment.

Adopted.

Senator Fairweather moved that Governor Ferry's message be taken from the table and the subject-matter referred to appropriate committees.

Adopted, and the secretary was instructed to make the appropriate references.

The following was then read and referred to the Committee on Revenue and Taxation:

STATE OF WASHINGTON,
OFFICE OF THE SECRETARY OF STATE,
OLYMPIA, November 26, 1889.

GENTLEMEN: At the risk of seeming obtrusive, and for the purpose of facilitating your business, I herewith submit an estimate, carefully prepared by an experienced employe, covering necessary furnishing and incidentals for the office of secretary of state for the ensuing fiscal year. As the constitution prohibits payment of moneys from the treasury, except in pursuance of appropriations previously made by law, and as it would be impracticable to legislate on each item, it may be that you will desire to cover incidentals for all state officers in one act. If so, I have the honor to request that you refer the estimate herewith to the committee having charge of such bill. The government of the United States has asserted its claim to all furniture now in the office, and a requisition was made upon my late predecessor for an inventory and estimate of values, including the same. In any event, the furnishings now in the office are wholly inadequate to properly conduct the business thereof. Desiring to coöperate, however, in economical as well as efficient service in the business of the state, I have insisted upon placing estimated expense items as low as necessities would seem to permit.

I have the honor to be, very respectfully, etc.,

ALLEN WEIR,
Secretary of State.

To the Honorable Senate of the State of Washington.

Estimated incidentals for office of Secretary of State, for ensuing fiscal year:

Necessary to furnish office	$1,000
For rent at $30 per month	360
For rent at $1 per month (to water company)	12
For postage (a close estimate)	500
For stationery (including set of new books)	700
For lights and fuel	100
For janitor at $20 per month	240
For one chief clerk (previously paid by U. S.)	1,500
For one assistant clerk (previously paid by U. S.)	1,000
Total	$5,412

The following was read and referred to Committee on Revenue and Taxation:

STATE OF WASHINGTON,
AUDITOR'S OFFICE,
OLYMPIA, NOV. 25, 1889.

To the Honorable President and Members of the Senate, State of Washington:

GENTLEMEN: In response to a resolution passed by your honorable body on the 22d inst., requesting this office to furnish a copy of the code and session laws of Washington to each member of the Senate, I would say that I have this day delivered to the sergeant-at-arms of the Senate, thirty-seven copies of the Washington Code of 1881. In respect to session laws, I would say, that on the 20th inst., the House of Representatives made a similar request on this office, to be furnished with session laws, but was informed that there were but sixty-five (65) copies of the laws of 1883 available for that purpose; a few of which have since been disposed of by sale, leaving about sixty (60) copies on hand. I respectfully suggest, if desired by the Senate and House, that these laws be divided in relative proportion between the two houses, and to this end, I further suggest that a joint resolution be passed authorizing this office to make such distribution, inasmuch as these laws are held in the custody of the auditor for sale.

I have the honor to be, very respectfully yours,

T. M. REED,
State Auditor.

Senator Long was, on motion of Senator Owings, excused until Saturday.

INTRODUCTION OF BILLS.

By Senator Fairweather: Senate bill No. 22, An act to provide for the paying of the unpaid expenses of the constitutional convention.

Read first time, rules suspended, read second time by title, and referred to Committee of the Whole.

By Senator Kinnear: Senate bill No. 23, An act relating to the appointment, powers and duties of court commissioners.

Rules suspended, read first and second time by title, and referred to the Committee on Judiciary.

By Senator Wood, by request: Senate bill No. 24, An act to provide for the publication and distribution of the supreme court reports of Washington.

Read first time, rules suspended, read second time by title, and referred to Committee on Judiciary.

Also, Senate bill No. 25, An act to prescribe the duties and fix the compensation of the reporter of the supreme court.

Rules suspended, read first and second time by title, and referred to Committee on Judiciary.

By Senator Jones: Senate bill No. 26, An act to prohibit mining and manufacturing companies from engaging in the business of carrying on stores known as company stores or general supply stores.

Rules suspended, read first and second time by title, and referred to Committee on Corporations.

By Senator Kinnear: Senate bill No. 27, An act to prohibit bodies of men other than regularly organized militia and troops of the United States from drilling or parading with arms in this state.

Rules suspended, read first and second time by title, and referred to Committee on Military.

The chief clerk of the House appeared with notice that the House had concurred in Senate concurrent resolution No. 8, relative to the designation of secretary and assistant secretary of the Senate.

Senator Kinnear announced that Miss May Sylvester had been appointed clerk to the Judiciary Committee. The oath was administered to her by Notary Public J. W. Romaine.

On motion of Senator Hyde, the Senate at 10:35 adjourned until Friday at 1 o'clock P. M.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, November 29, 1889.
1 o'clock P. M.

Senate called to order, pursuant to adjournment; the president in the chair.

Senators Landes, Thompson (L. F.), Clough, Parkinson, Guilfoil, Wood, Kneeland, were excused.

Roll called; all present, except Senator Snow, absent on leave, and Senators Whalley, Thompson (L. F.), Long, Van Houten, excused.

Journal of Wednesday, the 27th inst., read and approved.

Senator Vestal offered a resolution relative to assessments in Snohomish county, recommending that it should commence in January instead of April.

Referred to the Committee on Revenue and Taxation.

Senator Fariss presented a communication from A. L. Coffey, county surveyor of Adams county, Washington, calling attention to the "old Mullen road," and asking the state to preserve it as a state road.

Read, and referred to the Committee on Roads, Bridges and Fences.

Senator Vestal offered the following, which was adopted:

WHEREAS, Under the present system of business in the Senate, bills after presentation are copied, after which the original is handed over to the committee to which it is referred, and the copy goes to the printer; and

WHEREAS, This seems to involve needless labor, and consequently needless expense; therefore,

Resolved, That hereafter the bill as presented go the printer, taking his receipt therefor, and that the clerks now engaged in the copying of bills be transferred to other duties.

FROM THE STATE AUDITOR.

A communication was read from State Auditor T. M. Reed relative to the financial condition of the state, and on motion of Senator Owings 150 copies was ordered printed:

STATE OF WASHINGTON,
AUDITOR'S OFFICE.
OLYMPIA, November 27, 1889.

Mr. President and Honorable Members of the State Senate:

GENTLEMEN — Responsive to a resolution passed by the Senate on the 22d inst., and referred to this office by the secretary of state, requesting information regarding the financial resources and liabilities of the state, I have respectfully to report as follows: The present resources of the state under existing laws, and as shown by credit data and other exhibits in this office, appear to consist — *First*, of tax levy on assessed property valuations for general state purposes, at two and one-half mills on the dollar; *second*, ten per centum of the amount collected as licenses for the sale of spirituous, fermented, malt and other intoxicating liquors in the state; *third*, receipts from state convict labor; *fourth*, miscellaneous sources, such as the sale of codes, session laws, etc.

There is also an annual tax levy of one-fifth of one mill on the assessment of property valuations for defraying current expenses of the state militia.

The resources of the state may be summarized as follows:

Tax levy for 1889, general purposes	$312,912 50
Estimated receipts from liquor licenses	25,000 00
Estimate from prison labor	15,000 00
Miscellaneous	1,000 00
Amount due general fund from militia fund	1,266 23
Cash on hand November 18, 1889	13,687 62
Total estimate	$372,866 35

It will be seen that no reference is made in the foregoing estimates to any balances due from counties to the state from taxes previously levied, and now delinquent. I regret to say that the accounts between the several counties and the territory as shown by the books of the late territorial auditor, are not in such a condition as to justify any estimate of available funds to the state treasury from this source. The apparent balances against the counties, exclusive of the levies of 1889, aggregate over $53,000. There are doubtless many credits, or abatements in the nature of cost bills, treasurers' commissions, delinquent taxes, and miscellaneous offsets which have not been entered to the credit of counties, and whatever net balance may be found due to the state from this source cannot be reckoned of greater amount than will be sufficient to pay the interest due on outstanding warrants, before the same can be redeemed by the state.

The financial liabilities of the state consist of outstanding warrants, general fund, amounting to $238,472.26; there are also unsettled claims, not audited, which will perhaps aggregate two or three thousand dollars, but of which it is now impossible for this office to form a reliable estimate.

MILITIA FUND.

RESOURCES.

Tax levy for the year 1889	$25,033 16

LIABILITIES.

Amount due general fund	$1,266 23
Outstanding warrants (exclusive of interest)	10,497 04
Deducting twelve per cent. for delinquencies and commission on tax of 1889	3,003 98
	$14,767 25
Amount available for militia purposes, 1889–90	$10,265 91

There is a considerable balance of the tax levy of 1888 for militia purposes uncollected, but it is not probable that the amount of that delinquency will exceed the interest on the outstanding warrants, drawn on the military fund.

In connection with the subject of state resources, I desire to call attention to section 3, of an act passed by the territorial legislature of 1883 (Laws of 1883, page 25,) "relative to inspectors of coal mines and ventilation of coal mines," under the provision of which a tax of four mills on each ton of coal sold or used from the coal mines of the territory was levied.

From this source there was collected and paid into a special mining fund, from July 1, 1885, to May 1, 1888, the sum of $4,823.71; of this sum, $3,656.56 was appropriated to the payment of salaries of coal mine inspectors, and the balance, $1,167.15, transferred to the general fund. Since May 1, 1888, no receipts have come into the treasury from this source.

"An act in relation to coal mines" was passed by the legislature of 1887-8 (Laws 1887-8, page 32), and while it in general terms repeals all "acts and parts of acts in conflict therewith," it makes no reference to the law of 1883, imposing a mining tax, and therefore in my judgment the validity of section 3, of the law of 1883, herein referred to, has not been repealed or nullified by the law of 1887-8, in relation to coal mines,

or by any other act of the legislature. It was doubtless one of the principal objects of the legislature of 1883, in creating this separate "mining fund," to provide means for the payment of salaries of coal mine inspectors.

The salaries of these officers, under the present law, aggregate three thousand dollars per annum, and which, during the last biennial term have been paid from the general fund. It will be seen at a glance that this is an unjust financial expedient, imposing a tax levy upon the people, or property valuations in general, of the State, directly in the interest of private or corporate enterprises.

Attention is respectfully called to this matter that, if deemed advisable, remedial legislation may be had upon the subject.

I have the honor to be, very respectfully,

T. M. REED,
Auditor of State.

A communication was received from Secretary of State Allen Weir, enclosing a letter from A. C. Matthews, first comptroller of the treasury, to the late secretary of the territory, as follows:

TREASURY DEPARTMENT,
FIRST COMPTROLLER'S OFFICE,
WASHINGTON, D. C., Nov. 20, 1889.

Hon. O. C. White, late Territorial Secretary, Olympia, Washington:

SIR: Your letter, dated Nov. 11, 1889, with the schedules of the property in your care, has been received. Without entering into controversy as to the opinions of the late secretary's office, I have to say that it is hoped to get a joint resolution through congress presenting such property to the new states; and, you are requested to turn over this property to the secretary of state—if he will meantime assume the responsibility without cost to the department—until its proper disposition is determined upon.

Respectfully,

A. C. MATTHEWS,
First Comptroller.
By J. R. GARRISON,
Deputy First Comptroller.

Ordered to lie on the table.

FROM THE SURVEYOR-GENERAL.

A communication was read from Surveyor-General Thomas H. Cavanaugh, relative to the surveyed and unsurveyed lands of the state.

On motion of Senator Kinnear 150 copies were ordered printed for the use of the Senate and House.

DEPARTMENT OF THE INTERIOR,
OFFICE OF U. S. SURVEYOR-GENERAL,
OLYMPIA, WASHINGTON, November 29, 1889.

Hon. Chas. E. Laughton, President of the Senate, Olympia, Washington:

SIR—In compliance with request of the Senate, in resolution passed and received with your letter of the 26th inst., "that the surveyor-general be requested to furnish the Senate for its information with such facts in regard to the public domain within the State of Washington relative to the amount of surveyed and unsurveyed lands," etc., I have the honor to submit the following:

The estimated total area of the State of Washington is 44,796,160 acres, of which at the end of the fiscal year, June 30, 1889, there were surveyed 21,715,261 acres, leaving at the present time unsurveyed 23,080,899 acres, which includes 3,600,000 acres unsurveyed in the Colville, Yakama and Spokane Indian reservations, in eastern Washington, and 224,000 acres unsurveyed in the Quinault Indian reservation, in western Washington.

Of this unsurveyed area, there are about 9,200,000 acres in western Washington, and 13,800,000 acres in eastern Washington, and of the total unsurveyed area, about five million acres, principally in western Washington, is practically unsurveyable. For the three last preceding years surveys were completed in Washington Territory, as follows:

For the fiscal year ending June 30, 1887	105,363 acres.
For the fiscal year ending June 30, 1888	239,858 "
For the fiscal year ending June 30, 1889	199,330 "
Total area surveyed during last three years	544,551 acres.

The aggregate area of all lands disposed of in Washington Territory, was, during—

The fiscal year ending June 30, 1886	544,828 acres
The fiscal year ending June 30, 1887	2,652,587 "
The fiscal year ending June 30, 1888	4,575,194 "
Total area disposed of during three preceding years	7,772,609 acres,

as against 544,551 acres surveyed.

It should also be understood that *all* of the unsurveyed portion of land in the State of Washington is *heavily timbered;* probably not *one township* of unsurveyed public land in the whole state, outside of Indian reservations, that is open land.

There are now on file in this office applications for survey from settlers on unsurveyed lands, claiming in the aggregate 500,000 acres, located in all parts of the state, in 150 different townships. Claims would be filed for this amount, and probably a much larger area, as soon as the land is surveyed.

Very respectfully,

THOS. H. CAVANAUGH,
U. S. Surveyor-General, Washington.

Senator Owings moved that the thanks of the Senate be extended to Surveyor-General Cavanaugh for his prompt action in preparing the statement for the use of the Senate.

The chief clerk of the House appeared with an amendment to Senate concurrent resolution No. 7, passed November 25, relative to the work of the code commissioners, as follows:

WHEREAS, The code commission heretofore appointed has submitted to the Senate and House of Representatives its report that said commission has prepared a code for the State of Washington; therefore be it

Resolved by the Senate, the House of Representatives concurring, That a joint committee be appointed, consisting of three persons from the Senate and five from the House, to receive the work of said code commissioners and to examine said work generally, and report to the legislature the best method of disposing of the same.

On motion of Senator Kinnear, the House amendment was concurred in by a divisional vote of 13 in affirmative and 6 in the negative.

The president announced that business would call him away for twenty-four hours, and he called Senator Houghton to the chair.

INTRODUCTION OF BILLS.

The clerk of the House notified the Senate of the passage of House bill No. 8, An act to appropriate money for the support of the Washington School for Defective Youth.

The rules were suspended, the bill read first and second time by title, and referred to Committee on State School for Defective Youth.

By Senator Payne: Senate bill No. 28, An act in relation to court commissioners, their duties and compensation.

The rules were suspended, the bill read first and second time by title, and referred to the Committee on Judiciary.

By Senator Jones: Senate bill No. 29, An act to establish and support a bureau of labor statistics and immigration.

The rules were suspended, the bill read a first and second time by title, and referred to Committee on Labor and Labor Statistics.

On motion of Senator Lawrence, the Senate, at 2 o'clock P. M., adjourned.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, November 30, 1889.
10 o'clock A. M.

Senate called to order pursuant to adjournment, and on motion of Senator Houghton to the secretary, Senator Kinnear was elected president pro tem.

Senators Wood and Guilfoil excused.

Roll called; all present excepting Senator Snow, absent on leave, and Messrs. Clough, Baker, Drum, Hunsaker, Kneeland, Long, Landes, Owings, Payne, Parkinson, Thompson (L. F.), Whalley and Wood excused.

Journal of yesterday read and approved.

Senator Kinnear offered the following, which was adopted:

Resolved, That the sergeant-at-arms be instructed to have gas fixtures placed in the stairway leading to the Senate chamber, in the two library rooms and the two small rooms used by the sergeant-at-arms adjoining the Senate chamber.

Senator Kinnear offered the following:

SENATE CONCURRENT RESOLUTION NO. 9.

WHEREAS, The members of the Legislature of the State of Washington, recognizing the valuable services rendered by the Union soldiers and sailors during the late rebellion in preserving the Union of the states, and in restoring peace and tranquility between the North and South; and

WHEREAS, Recognizing the fact that almost all the soldiers and sailors who participated in the great struggle were disabled by reason of exposure, and the seed of disease implanted in their systems, which in after years has developed itself; and

WHEREAS, Recognizing the fact that the pension laws, as they now are, are not broad enough in their character to do justice to all Union soldiers and sailors who should be placed upon the pension roll; therefore,

Be it resolved by the Legislature of the State of Washington, That our senators and representatives in congress be and are hereby requested to use all honorable means to secure such legislation as is necessary to place all Union soldiers and sailors who were honorably discharged from the service upon the pension roll. And that a copy of this resolution be by governor forwarded to the members of the Senate and House in congress at Washington.

On motion of Senator Houghton, it was referred to the Military Committee.

The following telegram was read from the lieutenant-governor:

TACOMA, WASHINGTON, November 30, 1889.

C. M. Barton, Secretary of Senate: Am detained here. Request the Senate to kindly nominate one of their number to preside this morning.

CHAS. E. LAUGHTON.

Senator Lawrence offered the following, which was adopted:

Resolved, That State Auditor T. M. Reed be asked to submit an estimate of amount required for sundry expenses, including expense of transportation of insane, prisoners to penitentiary, etc., from November 11, 1889, until March 1, 1891.

Senator Houghton offered the following, Senate concurrent resolution No. 10, which was adopted:

Resolved by the Senate, the House concurring, That the secretary of state be requested to give his receipt to the United States government officials for the property it assumes to have control of, lately in possession of the territory.

On motion of Senator Houghton, the Senate, at 10:30 A. M., adjourned until Monday, December 2, at 1 o'clock P. M.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, December 2, 1889.
1 o'clock P. M.

Senate called to order pursuant to adjournment; the president in the chair.

Roll called; all present excepting Senator Snow, absent on leave, and Senator L. F. Thompson, and Senators Landes, Payne and Wood, excused.

Journal of Saturday, November 30th, read and approved.

The president announced that on the Enrolling Committee Senator Drum's name had been stricken off by request and Senator Hunsaker's name inserted.

Senator Wood was excused from attendance for one week.

Senators Landes and Payne were excused for one day.

Senator Long offered Senate concurrent resolution No. 11, as follows:

Resolved by the Senate, the House concurring, That the location of all public institutions for which the general government has made appro-

priations of land, which have not been located, that such locations shall be made by and under a commission to be nominated by the governor and confirmed by the Senate, and every such commission shall consist of at least five members, none of whom shall be eligible to serve on more than one commission, and said commissioners shall report to the next Legislature their findings; such institutions shall include the soldiers' home, agricultural college, normal schools and reform schools.

Ruled out of order by the president.

The chief clerk of the House announced the following messages:

That the House had concurred in Senate concurrent resolution No. 10 passed by the Senate, November 30th.

Read, and placed on file.

Also, that the House had passed House joint resolution No. 8, in regard to the appointment of the joint committee to investigate the costs of committee rooms, and had appointed Messrs. Eddy and Allen as the committee on the part of the House.

The resolution was, an motion of Senator Kinnear, referred to Committee on Revenue and Taxation.

Also, that the House had passed House memorial No. 1, relative to the navigation of certain tributaries of the Columbia river.

On motion of Senator Owings, the memorial was referred to Committee on Commerce.

Also, that the House had passed House memorial No. 2, relative to certain lands in Stevens county.

On motion of Senator Rinehart, the memorial was referred to Committee on Memorials.

The president called attention to the defective history of the House bills, as per endorsement from the House.

The chief clerk of the House also notified the Senate of the passage of House bill No. 1 and House bill No. 4.

INTRODUCTION OF BILLS.

House bill No. 1, An act to appropriate money to pay deficiencies for supplies furnished for the Hospital for the Insane at Steilacoom, State of Washington; passed by the House November 29th.

The rules were suspended, the bill read first and second times by title, and referred to the Committee on State Insane.

House bill No. 4, An act making appropriation for the expenses of the first State Legislature of the State of Washington; passed by the House November 30th.

Read first time.

On motion of Senator Whalley, the secretary was instructed to secure proper indorsements on the back of the House bills and memorials, stating their history in the House and the vote by which they were passed.

Senator Forsyth, chairman of the Committee on Memorials, reported back to Senate, Senate memorial No. 1, relative to Indian war claims, and recommended that it pass.

On motion of Senator Jones, the following resolution was adopted, by a divisional vote of 14 in the affirmative and 12 in the negative.

Resolved, That the Committee on Mines and Mining, Labor and Labor Statistics, Commerce and Memorials be and is hereby allowed one clerk jointly, and that P. S. Dorney be and is hereby appointed such clerk, to receive $5 per diem, the same to be paid out of the contingent funds of the state.

Senator Fairweather offered the following, which was adopted:

Resolved, That the Committee on Public Revenue and Taxation be authorized to employ a stenographer and typewriter as a committee clerk at $5 per day, and names Miss Maude Wilson for the position.

INTRODUCTION OF SENATE BILLS.

By Senator Rinehart: Senate bill No. 30, An act providing for the appointment and fixing the compensation of official stenographers for the superior courts of the State of Washington.

The rules were suspended, the bill read a first and second time, and referred to the Committee on Judiciary.

By Senator Forsyth: Senate bill No. 31, An act to provide for the assessing and collection of county and state revenue.

Rules suspended, bill read a first and second time, and referred to Committee on Revenue and Taxation.

On motion of Senator Austin, the Senate, at 2:15 P. M., adjourned until to-morrow, December 3, at 1 o'clock P. M.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, December 3, 1889.
1 o'clock P. M.

Senate called to order, pursuant to adjournment; the president in the chair.

Roll called; all present excepting Senator Snow, absent on leave, and Senators Payne and Wood, excused.

Journal of yesterday read and approved.

Senator Fariss offered the following: Senate concurrent resolution No. 12, relative to the appointment of a joint committee to ascertain what furniture would be needed for the various offices.

The resolution was adopted and Senator Fariss was appointed on the committee on behalf of the Senate.

Senator Wilson offered the following, which was adopted:

Resolved by the Senate, the House concurring, That the Senate Committee on Roads, Bridges and Fences shall meet jointly with a like House committee, for the purpose of drafting a road law, and shall present the same to their respective bodies for action thereon as soon as completed.

Senator Rinehart offered the following, which was adopted:

Resolved, That the governor be respectfully requested to furnish the Senate such information and reports regarding the School for Defective Youth, Hospital for the Insane and Penitentiary as he may deem proper to communicate.

Senator Owings offered the following: Memorial No. 3, praying congress to pass a special act authorizing the survey of the coal claim of William Packwood in Washington, and purchase of the same by him.

Rules suspended, read first and second time by title, and referred to Committee on Memorials.

Senator Hyde, from Committee on State Insane, reported back House bill No. 1, with recommendation that it be passed.

FROM THE SECRETARY OF STATE.

The following was read and placed on file:

STATE OF WASHINGTON,
OFFICE OF THE SECRETARY OF STATE,
OLYMPIA, December 3, 1889.

To the Hon. Chas. E. Laughton, President State Senate:

SIR—I have the honor to inform you that, in accordance with the request of concurrent resolution No. 10, I have this day issued to the first

comptroller of the United States treasury, for the property claimed on behalf of the United States and turned over to me by the late secretary of Washington Territory, my receipt on behalf of the State of Washington. Very respectfully,

ALLEN WEIR,
Secretary of State.

FROM THE STATE AUDITOR.

The following was read:

STATE OF WASHINGTON,
AUDITOR'S OFFICE,
OLYMPIA, December 3, 1889.

Mr. President and Honorable Members of the State Senate:

GENTLEMEN—I have the honor to acknowledge the receipt of your letter of the 30th ult., transmitting a resolution of the Senate requesting this office to submit an estimate of the amounts required for sundry expenses of the state, including expenses of transportation of insane persons, prisoners to the penitentiary, etc., from November 11, 1889, to March 1, 1891, and in compliance therewith submit the following:

Transportation of insane (for sixteen months)	$18,000 00
Transportation of state prison convicts	10,000 00
Extradition expenses	3,000 00
Publication of election and other proclamations	2,500 00
Cost bills in convictions before the supreme and superior courts	20,000 00
Salaries of prosecuting attorneys	25,000 00
Printing and advertising (exclusive of legislative)	4,000 00
County treasurers' commissions on state funds	15,000 00
Transmission of state funds	250 00
Postage and expressage on distribution of state laws	350 00
Total estimate	$98,100 00

In the above estimates no reference is made to salaries of state officers or the judiciary of the state, or to the expenses incident to their several offices and departments.

I am also informed that there are some unpaid claims against the state incident to expenses of the board of territorial regents, librarian, repairs to the Capitol building, etc., for which appropriations should be made by the Legislature; but for these I have no data at hand upon which to base any reliable estimates of the amounts required. Very respectfully.

[Signed] T. M. REED,
State Auditor,
Per M.

On motion of Senator Kinnear, 150 copies of the communication were ordered to be printed.

INTRODUCTION OF BILLS.

By Senator Parkinson: Senate bill No. 32, An act to establish a general uniform system of common schools in the State of Washington.

The rules were suspended, the bill read first and second time by title, and referred to the Committee on Education.

By Senator Landes: Senate bill No. 33, An act to establish a board of health for the collection district of Puget Sound, and to prescribe the powers and duties of said board, and others, in the matter of quarantining vessels and preventing the introduction and spreading of diseases, and prescribing penalties for violations thereof.

The rules were suspended, the bill read first and second time by title, and referred to the Committee on Medicine, Surgery, Hygiene and Dentistry.

By Senator Landes: Senate bill No. 34, An act to relieve innkeepers from liability in certain cases, and prescribing their responsibilities therein.

The rules were suspended, read first and second time by title, referred to Committee on Judiciary.

By Senator Preston: Senate bill No. 35, An act to appoint a commission to report and recommend locations for an agricultural college.

The rules were suspended, read first and second time by title, and referred to the Committee on Agriculture.

By Senator Drum: Senate bill No. 36, An act to provide for and to regulate the registration of voters in cities and towns having a population of five hundred or more.

Rules suspended, read first and second time by title, and referred to Committee on Elections and Privileges.

By Senator Jones: Senate bill No. 37, An act to prescribe and regulate the payment of coal miners' wages.

Rules suspended, read first and second time by title, and referred to Committee on Mines and Mining.

By Senator Austin: Senate bill No. 38, An act allowing school districts to issue bonds for the purpose of building school houses.

Rules suspended, read first and second time, and referred to Committee on Education.

By Senator Owings: Senate bill No. 39, A bill for the relief of Thomas M. Reed, Robert Frost and H. B. McElroy.

Rules suspended, read first and second time by title, and referred to Committee on Public Buildings and Grounds.

House bill No. 4, An act making appropriation for the expenses of the first Legislature of the State of Washington, was read a second time and referred to Committee on Revenue and Taxation.

Senate memorial No. 1, relative to Indian war claims, recommended to be passed by the Committee on Memorials on the 2d inst., was passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Jones, Kinnear, Kneeland, Landes, Lawrence, Long, Luce, Owings, Preston, Parkinson, Rinehart, Seaborg, Thompson (of Pierce), Thompson (of Walla Walla), Vestal, Van Houten, Watt, Wilson, Whalley, Wolfe, Wooding — 32.

Absent or not voting: Payne, Snow and Wood.

Senator Fairweather, from the Committee on Public Revenue and Taxation, reported favorably on House joint resolution No. 8, Relative to the appointment of a committee of three, one by the Senate and two by the House, to ascertain as near as possible the number of committee and other rooms that will be necessary to conduct the business of the legislature conveniently, and the probable cost of the same, etc.

Adopted, and Senator Fairweather was appointed the committee on behalf of the Senate.

The chief clerk of the House appeared and announced the passage of House bill No. 13, To prevent the purchase or gift of tobacco, cigars or cigarettes to or by any person under the age of eighteen years, and providing a penalty for such offenses.

SENATE BILL NO. 9.

Senator Kinnear, from the Judiciary Committee, recommended the passage of Senate bill No. 9, entitled, "An act to prohibit the making of profit out of the use, for any purpose not allowed by law, of any county, city, town or other public money, by any officer, his servant, clerk or employe having the possession or control thereof, and providing punishment therefor."

The bill was read a third time, and passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Jones, Kinnear, Kneeland, Landes, Lawrence, Luce, Preston, Parkinson, Rinehart, Seaborg, Thompson (of Pierce), Thompson (of Walla Walla), Vestal, Van Houten, Watt, Wilson, Whalley, Wolfe, Wooding — 31.

Nays: Long, Owings — 2.

Absent or not voting: Payne, Snow and Wood.

Senator Houghton raised the question, in connection with section 31 of the constitution, relative to the passage of Senate bill No. 9, as to whether it required another vote of two-thirds to make the emergency clause effective.

On motion of Senator Kinnear, the matter was referred to the Judiciary Committee.

Senate bill No. 10, entitled, "An act authorizing the governor to appoint a commission to examine and report upon the work of the code commission reported to the legislature and fixing their compensation," was reported back from the Judiciary Committee, and recommended that it be indefinitely postponed.

The report of the committee was adopted.

Senator Kinnear, from the Judiciary Committee, to whom was referred a communication from the code commissioners, dated November 20, 1889, reported that they had the same under consideration, and report the same back to the Senate with the recommendation that the same be referred to the Joint Committee of the Senate and House on Code Commission.

Adopted.

Senate bill No. 3, An act relating to the organization, powers and duties of the supreme court, was reported back to the Senate by the Judiciary Committee, with sundry amendments, which were agreed to, except the second amendment, and the bill, on motion of Senator Kinnear, referred to the Engrossing Committee.

On motion of Senator Fairweather, the Senate resolved itself into a committee of the whole to consider Senate bill No. 22, An act to provide for the paying of the unpaid expenses of the constitutional convention, Senator Thompson (of Walla Walla) in the chair.

The committee arose and reported sundry amendments to the bill, and recommended their passage.

The amendments were agreed to, other amendments were made, and the bill was, on motion of Senator Rinehart, referred to the Committee on Engrossed Bills.

On request of Senator Lawrence, Senator Payne was granted leave of absence.

Senator Thompson gave notice that he would move to amend rule 31 of the Senate rules.

Senator Lawrence gave notice that he would move to amend rule 63 of the Senate rules.

Senator Parkinson offered the following, which was adopted:

The Committee on State, Granted and School Lands, finding work sufficient, in their judgment, to justify them in employing a clerk, would respectfully request that said committee be empowered to employ a clerk, and that Miss Lizzie Browne, of Lewis county, be employed as such clerk, at a compensation of $5 per day.

On motion of Senator Owings, the Senate, at 3:10 P. M., adjourned until to-morrow at 1:30 P. M.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, December 4, 1889.
1:30 o'clock P. M.

The Senate called to order pursuant to adjournment; the president in the chair.

Roll called; all present, except Senator Snow, absent on leave, and Senators Payne and Wood, excused.

Journal of yesterday read and approved.

The chief clerk of the House was announced, with messages relative to the passage by the House of House bills No. 3, 42 and 57.

Senator Thompson offered the following amendment to Senate rule No. 30—strike out the rule and insert the following:

No bill shall be printed, except it be ordered by a majority vote, until it shall have been favorably reported upon by a committee, except upon application of the committee having the bill under consideration.

Rejected by the following vote:

Yeas: Baker, Fairweather, Guilfoil, Houghton, Jones, Kinnear, Kneeland, Preston, Parkinson, Rinehart, Thompson (of Walla Walla), Wooding—12.

Nays: Austin, Clough, Drum, Fariss, Forsyth, Hunsaker, Hyde, Landes, Lawrence, Long, Luce, Owings, Seaborg, Thompson (of Pierce), Vestal, Van Houten, Watt, Wilson, Whalley, Wolfe—20.

Absent or not voting: Payne, Snow and Wood.

Senator Lawrence moved to amend Senate rule No. 62, striking out the words "Jefferson's Manual" and insert "Roberts' Manual."

Senator Parkinson moved to amend to insert the words "Cushing's Manual."

Rejected, by the following vote:

Yeas: Baker, Clough, Fariss, Forsyth, Hunsaker, Hyde, Kinnear, Parkinson, Thompson (of Pierce), Watt, Wilson — 11.

Nays: Austin, Drum, Fairweather, Guilfoil, Houghton, Jones, Kneeland, Landes, Lawrence, Long, Luce, Owings, Preston, Rinehart, Seaborg, Thompson (of Walla Walla), Vestal, Van Houten, Whalley, Wolfe, Wooding — 21.

Absent or not voting: Payne, Snow and Wood.

The amendment of Senator Lawrence was lost, there not being the necessary two-thirds. The vote was as follows:

Yeas: Austin, Clough, Drum, Fairweather, Forsyth, Hunsaker, Hyde, Lawrence, Long, Parkinson, Rinehart, Vestal, Van Houten, Watt, Wilson, Whalley, Wolfe — 17.

Nays: Baker, Fariss, Guilfoil, Houghton, Jones, Kinnear, Kneeland, Landes, Luce, Owings, Preston, Seaborg, Thompson (of Pierce), Thompson (of Walla Walla), Wooding — 15.

Absent or not voting: Payne, Snow and Wood.

Senator Landes, chairman of the Military Committee, reported to the Senate, Senate concurrent resolution No. 9 favorably, with an amendment.

Senator Kinnear, chairman of Judiciary Committee, reported on the question relative to two-thirds votes on an emergency clause.

Senator Fairweather reported favorably on House bill No. 4.

The report of the Judiciary Committee was read, as follows:

MR. PRESIDENT:

The Judiciary Committee of the Senate, to whom was referred the question, "Shall two separate votes be taken on a bill containing an emergency clause, one on the passage of the bill, requiring a majority of the members-elect, and the other on the question of emergency, requiring a two-thirds vote of the members-elect," have had the same under consideration, and would respectfully recommend that, in order to avoid question, two separate votes be taken in such cases.

First, On the question, "Shall this bill pass?"

Second, On the question, "Shall this bill take effect immediately upon its passage and approval by the governor by reason of the emergency therein set forth?"

Respectfully submitted,

J. R. KINNEAR, Chairman.

Report concurred in by Senators Thompson (of Walla Walla), Houghton and Whalley, the other members of committee being absent.

The report was adopted.

House bill No. 57, a substitute for House bill No. 6, entitled "An act providing the words 'territory' and 'Territory of Washington' shall be construed to mean 'state' and 'State of Washington,'" reported passed by the House December 3, was read first time, rules suspended, read second time by title, and referred to Committee on Judiciary.

House bill No. 42, entitled "A bill for an act to provide for the payment of salaries of the officers and employes of the legislature of the State of Washington," reported passed by the House December 3, was read first time, the rules suspended, read second time by title, and referred to Committee on Public Revenue and Taxation.

House bill No. 1, entitled "An act to appropriate money to supply the deficiencies for supplies furnished for the Hospital for the Insane at Steilacoom, Washington," recommended favorably by the Senate Committee on State Insane, was, on motion of Senator Kinnear, ordered to lie on the table.

House bill No. 3, entitled "A bill for the prevention of deception in sales of dairy products," reported passed by the House December 3d, was read first time, rules suspended, read second time by title, and referred to Committee on Agriculture.

By Senator Humsaker: Senate bill No. 40, An act for the purpose of establishing assessment districts in the several counties and in incorporated cities in the State of Washington, and creating the office of district assessor.

The rules were suspended, bill read first and second time by title, and referred to the Committee on Public Revenue and Taxation.

By Senator Seaborg: Senate bill No. 41, An act to protect salmon and other food fishes in the State of Washington, and upon all waters upon which this state has jurisdiction and concurrent jurisdiction.

Rules suspended, read first and second time by title, referred to the Committee on Fisheries.

The communication from the state auditor, read in the Senate December 3d, was, on motion of Senator Kinnear, ordered to lie on the table.

Senate concurrent resolution No. 9 was reported favorably by Senator Landes, with an amendment as follows: After the word

"service" in fifth line of second page add the words "and now disabled."

The bill after debate was re-committed to the Military Committee.

House bill No. 4, Making appropriations for the expenses of the first Legislature of the State of Washington, was reported favorably upon by the Committee on Public Revenue and Taxation.

On motion of Senator Fairweather, the Senate resolved itself into Committee of the Whole on the bill, Senator Houghton in the chair.

The committee arose and reported the bill to the House as recommended by the committee, President Laughton in the chair.

The bill was passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Jones, Kinnear, Kneeland, Landes, Lawrence, Luce, Preston, Parkinson, Seaborg, Thompson (of Walla Walla), Vestal, Wolfe, Wooding—24.

Nays: Long, Owings, Rinehart, Thompson (of Pierce), Van Houten, Watt, Wilson, Whalley—8.

Absent or not voting: Payne, Snow and Wood.

The question being taken on the passage of the emergency clause (section 2), it was lost by the following vote, not being the necessary two-thirds:

Yeas: Austin, Baker, Clough, Fairweather, Fariss, Guilfoil, Kinnear, Landes, Lawrence, Luce, Preston, Parkinson, Seaborg, Thompson (of Walla Walla), Vestal, Wolfe, Wooding—17.

Nays: Drum, Forsyth, Houghton, Hunsaker, Hyde, Jones, Kneeland, Long, Owings, Rinehart, Thompson (of Pierce), Van Houten, Watt, Wilson, Whalley—15.

Absent or not voting: Payne, Snow and Wood.

Senator Houghton moved to reconsider the vote on the emergency clause.

Adopted.

The question again recurring on the passage of the emergency clause (section 2), it failed by the following vote:

Yeas: Baker, Clough, Drum, Fairweather, Fariss, Guilfoil, Houghton, Hunsaker, Hyde, Jones, Kinnear, Landes, Luce, Preston, Parkinson, Seaborg, Thompson (of Pierce), Thompson (of Walla Walla), Vestal, Watt, Wolfe, Wooding—22.

Nays: Austin, Forsyth, Kneeland, Lawrence, Long, Owings, Rinehart, Van Houten, Wilson, Whalley—10.

Absent or not voting: Payne, Snow and Wood.

House bill No. 13, entitled "'A bill to be entitled 'An act to prevent the purchase or gift of tobacco, cigars or cigarettes to or by any person under the age of eighteen years and providing a penalty for such offenses,'" reported passed by the House December 2d, was read first time, the rules were suspended, read second time by title, and referred to Committee on Public Morals.

On motion of Senator Baker, the Senate adjourned at 3:30 P. M. until 1:30 P. M., December 5th.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, December 5, 1889.
1:30 o'clock P. M.

Senate called to order pursuant to adjournment; president in the chair.

Roll call; all present except Senator Snow on an indefinite leave and Senator Wood excused.

The journal of yesterday read and approved.

Senator Fariss offered a resolution authorizing the chairmen of the various committees to secure committee rooms.

Lost by a divisional vote of 14 in the affirmative to 15 in the negative.

THE TERRITORIAL UNIVERSITY.

Senator L. F. Thompson offered Senate concurrent resolution No. 14, as follows:

Be it resolved by the Senate, the House concurring, That a committee of two from the Senate and three from the House be appointed to examine into the titles to the site of the Territorial University at Seattle, the amount of lands ceded to said university still unsold, and to report what moneys or securities are now on hand; said committee to report to their respective houses within thirty days from the passage of this concurrent resolution.

Adopted, and Senators L. F. Thompson and Guilfoil appointed a committee on behalf of the Senate.

The chief clerk of the House appeared and announced that the House had passed Senate memorial No. 1 and House bills No. 43 (substitute for House bill 14), 38 and 30.

Senator Owings offered the following:

Resolved, That the Committee on Memorials be and are hereby instructed to draw and introduce in this body a memorial praying congress to make an appropriation reimbursing the State of Washington in the sum of $6,076.27, the amount paid by said state to defray the expenses of the constitutional convention.

Adopted.

Senator Hyde offered the following:

Resolved, That the Committees of Printing, Constitution and Revision, State Insane, and Election and Privileges be allowed one clerk, and that H. C. Adams be appointed such clerk, at a per diem of $5.

Adopted.

Senator Drum offered the following:

Resolved, In order to facilitate the business of the Senate members are requested, when submitting bills containing emergency clauses, to cause said emergency to be expressed in a preamble to said bill, as provided in section 31 of article II of the constitution.

Also:

RULE.—In voting on the passage of any bill containing an emergency clause, when said clause is expressed in the preamble of the bill, the vote shall first be taken on the passage of the bill. A vote shall then be taken on the question, "Shall the emergency clause, as expressed in the preamble, stand," and failing to receive the constitutional majority shall be stricken out.

Referred to the Committee on Rules.

House bill No. 4 was taken up and placed on file.

Senator Fariss moved that the Committees on Agriculture, County and County Boundaries, Public Buildings and Grounds, Roads, Bridges and Fences be allowed to procure a committee room.

Adopted.

Senator Kinnear, from the Committee on Judiciary, to whom was referred Senate bill No. 18, reported back the same, with a recommendation that it be referred to the Committee on Military Affairs.

Adopted.

Senator George T. Thompson, from the Committee on Public Morals, to whom was referred House bill No. 13, recommended that the bill pass with an amendment as follows: To strike out of the title the words "A bill to be entitled."

Senator Seaborg, from the Committee on Commerce, to whom was referred Senate bill No. 2, unanimously recommended the passage of the bill without amendment.

Senator Fairweather, from the committee of conference in adjusting the salaries of officers and employes of the two Houses, reported disagreement of the committee.

Report received and the matter referred to a free conference committee—on behalf of the Senate as follows: Senators Baker, Austin, Luce, Clough and Wooding.

On motion of Senator Wooding, the House was requested to appoint a like committee of five.

Senator Owings gave notice that rooms 17, 18, and 7 and 8 could be rented in Temple Flat for use of committees at $50 per month.

FROM THE SUPERINTENDENT OF PUBLIC INSTRUCTION

The following was then read:

SUPERINTENDENT OF PUBLIC INSTRUCTION,
OF WASHINGTON,
OLYMPIA, WASHINGTON, November 29, 1889.

Hon. J. C. Lawrence, Chairman Committee on Education, Senate, Washington:

Please permit me to call the attention of the Senate, through you, to a matter which I presume should come before the legislature for adjustment at as early a day as practicable.

I have received the records of the office of superintendent of public instruction from my predecessor, and have secured from Hon. Thos. H. Cavanaugh, as a matter of personal accommodation, a small room in which to keep them temporarily. The office is without light, fire, furniture, or any other necessary equipment. I am unable to enter it before 9 o'clock in the morning or after 4 o'clock in the afternoon. There is no desk or other place of safe keeping in which to lock the records, some of which should not be exposed to public inspection. Trusting that I may be pardoned for asking that the legislature, through your good offices, may provide a more suitable office and the necessary furniture at as early a date as it can, without serious inconvenience, I am,

Very respectfully yours, etc.,

R. B. BRYAN,
Supt. Public Instruction.

OLYMPIA, WASHINGTON, December 4, 1889.

Hon. J. C. Lawrence, Chairman Committee on Education, Senate, Washington:

As supplemental to the communication handed you by me a few days since, I beg leave to submit to the Senate, through you, a statement of the expense of equipping the office of the superintendent of public in-

struction with the necessary furniture and fixtures, and an approximate estimate of the incidental expenses of the office for the time that will elapse before the meeting of the next legislature. While from want of data I am unable to give exact figures in some instances, the following statement is approximately correct:

Rent of room from November 18 to December 31, 1889	
Rent of two rooms from January 1, 1890 to January 1, 1891, $20 per month	$240 00
Cost of lighting and warming same	48 00
Stationery	25 00
Record books	25 00
Postage for ordinary correspondence	36 00
Express charges and postage from November 18 to December 31, 1889	10 85
Stationery for same period	8 00
Thirty-eight yards carpet	70 00
Two window shades	4 00
One desk	50 00
One desk chair	7 50
Six office chairs	15 00
One letter press, book and bath blotter	18 00
One table for mailing purposes, etc	7 50
One set pigeon holes	18 00
Shelving for books and blanks	20 00
Total	$602 85

I desire to add that I can only retain the room now occupied by me until January 1, 1890, at which time the rooms referred to in the second item are promised to be in readiness; that after a diligent search these are the only suitable rooms that I could find in the city. I will say further, that no complete estimate of the current expenses of the superintendent's office can be made until the legislature shall have formulated a code of school laws defining his duties, and indicating the scope of his work.

Very respectfully,

R. B. BRYAN,
Supt. of Public Instruction.

The communication was ordered to lie on the table for the present.

House bill No. 43 (substitute for House bill 14) was read first time, entitled "An act to provide for the display of the flag of the United States on all state, public and county buildings, city halls and public school buildings in the State of Washington."

Rules suspended, bill read second time by title, and referred to the Committee on Education.

House bill No. 38, entitled "A bill for an act to provide for the payment of members of the legislature of the State of Washington, reported passed by the House December 14th," was read first time, rules suspended, read second time by title, and referred to Judiciary Committee.

House bill No. 30, An act to prescribe the duties and fix the

compensation of the reporter of the supreme court, reported as passed by the House December 14th.

Read first time, rules suspended, read second time by title, and referred to the Committee on Judiciary.

The chief clerk of the House announced that Senate memorial No. 1 had passed the House on the 4th inst.

Received and referred to the Enrollment Committee.

Senate bill No. 2 was then taken up for a third reading.

In section 1 line 4 a clerical error was corrected.

Senator Owings moved to strike out section 7.

Senators Austin, Guilfoil, Hunsaker, Jones, Kinnear and Kneeland asked for yeas and nays.

Not agreed to by the following vote:

Yeas: Baker, Drum, Fariss, Forsyth, Houghton, Kneeland, Long, Owings, Preston, Thompson (of Walla Walla), Van Houten, Wooding — 12.

Nays: Austin, Clough, Fairweather, Guilfoil, Hunsaker, Hyde, Jones, Kinnear, Landes, Lawrence, Luce, Payne, Parkinson, Rinehart, Seaborg, Thompson (of Pierce), Vestal, Watt, Wilson, Whalley, Wolfe — 21.

Absent or not voting: Snow, Wood.

Senator Drum moved to amend by striking out of section 7 the words "to agricultural products, of live stock while in the hands of the producer or raiser, nor."

Lost.

Senator Long moved that the bill be indefinitely postponed.

Senators Austin, Hunsaker, Jones, Rinehart, Seaborg and Thompson (L. F.) called for the yeas and nays.

Lost by the following vote:

Yeas: Forsyth, Houghton, Kneeland, Long, Owings, Thompson (of Walla Walla) — 6.

Nays: Austin, Baker, Clough, Drum, Fairweather, Fariss, Guilfoil, Hunsaker, Hyde, Jones, Kinnear, Landes, Lawrence, Luce, Preston, Payne, Parkinson, Rinehart, Seaborg, Thompson (of Pierce), Vestal, Van Houten, Watt, Wilson, Whalley, Wolfe, Wooding — 27.

Absent or not voting: Snow and Wood.

Senator Fariss moved to adjourn.

Lost.

Senator Van Houten moved to recommit to Committee on Commerce.

Senator Wilson moved to amend to refer to the Judiciary Committee.

On this amendment Senators Long, Baker, Kneeland, Thompson, Seaborg and Whalley called for the yeas and nays.

The amendment was not agreed to by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fariss, Forsyth, Houghton, Hyde, Kneeland, Long, Owings, Preston, Thompson (Walla Walla), Van Houten, Wilson — 15.

Nays: Fairweather, Guilfoil, Hunsaker, Jones, Kinnear, Landes, Lawrence, Luce, Payne, Parkinson, Rinehart, Seaborg, Thompson (of Pierce), Vestal, Watt, Whalley, Wolfe, Wooding — 18.

Absent or not voting: Snow, Wood.

Senator Kneeland offered the following amendment: Insert between the word "products" and the word "or" in the first line, section 7, the following: "Raw or manufactured lumber."

Lost.

The bill was then passed by the following vote:

Yeas: Austin, Baker, Clough, Fairweather, Fariss, Forsyth, Guilfoil, Hunsaker, Hyde, Jones, Kinnear, Kneeland, Landes, Lawrence, Luce, Preston, Payne, Parkinson, Rinehart, Seaborg, Thompson (of Prerce), Thompson (of Walla Walla), Vestal, Watt, Wilson, Whalley, Wolfe, Wooding — 28.

Nays: Drum, Houghton, Long, Owings, Van Houten — 5.

Absent or not voting: Snow, Wood.

Senator Thompson of Walla Walla offered Senate memorial No. 4 to the Senate and House of Representatives in congress assembled, relating to withdrawn land for the benefit of the Northern Pacific Railroad Company.

The rules were suspended, read first and second time, and referred to the Committee on Memorials.

On motion of Senator Long, House bill No. 4 was taken from the table.

Senator Long offered a substitute for section 2, which was adopted, as follows:

This act shall take effect and be in force from and after its passage and approval by the governor.

The bill was then passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Jones, Kinnear, Kneeland, Landes, Lawrence, Long, Luce, Owings, Preston, Payne, Parkinson, Rinehart, Seaborg, Thompson (of Pierce), Vestal, Van Houten, Watt, Wilson, Whalley, Wolfe, Wooding — 32.

Nays: Thompson (of Walla Walla) — 1.

Absent or not voting: Snow, Wood.

On motion of Senator Long the history of the vote on the emergency clause was stricken from the back of the bill.

On motion of Senator Fariss, the Senate then adjourned at 4:30, until 1:30 P. M., December 6th.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, December 6, 1889.
1:30 o'clock P. M.

Senate called to order pursuant to adjournment; the president in the chair.

Roll called; all present except Senators Snow, absent on leave, Wood excused, and Thompson (L. F.), Guilfoil and Kneeland excused until Monday.

Senator Landes offered Senate memorial No. 5, praying for a military wagon road from Port Townsend to Cape Flattery.

The rules were suspended, the memorial read first and second time by title.

Rules again suspended, read a third time, and passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Houghton, Hunsaker, Hyde, Jones, Kinnear, Landes, Lawrence, Long, Luce, Owings, Preston, Payne, Parkinson, Rinehart, Seaborg, Thompson (of Walla Walla), Vestal, Van Houten, Watt, Wilson, Whalley, Wolfe, Wooding — 30.

Absent or not voting: Guilfoil, Kneeland, Snow, Thompson (of Pierce), Wood.

Senator Hunsaker offered Senate memorial No. 6, An act memorializing congress to subsidize steamships and sailing lines.

The rules were suspended, read first and second time by title, and referred to Committee on Memorials.

Senator Baker, by request of Senator Thompson (L. F.), offered the following:

Resolved, That inasmuch as the Committees on Agriculture and Military Affairs have considerable work before them, that they be allowed a clerk, and that Thomas Henderson Boyd be named as said clerk, at a salary of five dollars per diem.

Adopted.

Senator Rinehart offered concurrent resolution No. 15, as follows:

Resolved by the Senate, the House concurring, That complete files of all printed bills be promptly furnished by the sergeants-at-arms of our respective bodies to the governor for his consideration.

The resolution was adopted.

Senator Preston offered the following:

Resolved, That in the opinion of this Senate, it is impolitic for this legislature, at this session, to enact any legislation for the establishment of new state institutions, either educational, reformatory, penal or charitable.

Ruled out of order by the president.

The clerk of the House appeared and announced that the House had concurred in Senate amendments to House bill No. 4; concurred in Senate concurrent resolutions Nos. 12, 13, 14; passed House joint resolution No. 9, in relation to the printing of this session; passed House memorial No. 3, in relation to the opening of the Colville Indian reservation.

Senator Seaborg offered Senate memorial No. 7, Asking for an appropriation of $50,000 for the improvement of Nasel river, Willapa river and North river in Pacific county.

The rules were suspended, read first and second time by title; rules again suspended, read a third time and passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Houghton, Hunsaker, Hyde, Jones, Kinnear, Landes, Lawrence, Long, Luce, Owings, Preston, Payne, Parkinson, Rinehart, Seaborg, Thompson (of Walla Walla), Vestal, Van Houten, Watt, Wilson, Whalley, Wolfe, Wooding—30.

Absent or not voting: Guilfoil, Kneeland, Snow and Thompson (of Pierce), Wood.

Senator Lawrence offered the following:

Resolved, That the Committees on Education, Municipal Corporations, Medicine, Surgery, Hygiene and Dentistry be authorized to secure the use of a room for committee meetings.

Adopted.

Senate bills No. 3 and 22 were reported from the Engrossing Committee, properly engrossed.

The Committee on Judiciary reported Senate bill No. 42 as a substitute for Senate bills No. 1, 6, 13, 20 and 21, and recommended its passage.

House bill No. 42 was reported favorably from the Committee on Revenue and Taxation.

The Committee on Military reported Senate bill No. 8, with an amendment.

The Judiciary Committee reported House bill No. 57 (substitute for House bill No. 6), with amendments.

The Military Committee reported favorably Senate concurrent resolution No. 9.

A message from the governor was received, transmitting a communication from Major Thomas H. Handbury, Corps of Engineers, U. S. A., in regard to certain legislative action required on the part of this state and the necessity of immediate action thereon.

On motion of Senator Owings, the message and accompanying communication was referred to Committee on Commerce.

House joint resolution No. 9, In relation to the printing of this session, reported passed on 5th of December, was read first time, rules suspended, read second time by title, and referred to Committee on Printing.

House memorial No. 3, In relation to the opening of the Colville Indian reservation, reported passed by the House December 5th, was read first time, rules suspended, read second time by title, rules again suspended, read third time, and passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Houghton, Humsaker, Hyde, Jones, Kinnear, Landes, Lawrence, Long, Luce, Owings, Preston, Payne, Parkinson, Rinehart,

Seaborg, Thompson (of Walla Walla), Vestal, Van Houten, Watt, Wilson, Whalley, Wolfe, Wooding — 30.

Absent or not voting: Guilfoil, Kneeland, Snow, Thompson (of Pierce), Wood — 5.

Senate concurrent resolution No. 12, Relative to the appointment of a joint committee to ascertain what office furniture is needed for the various state officers, was received from the House as concurred in.

Placed on file.

Senate concurrent resolution No. 13, Relative to drafting road laws, was received from the House as concurred in.

Placed on file.

Senate concurrent resolution No. 14, Inquiring into the title of lands of the Territorial University at Seattle, was received from the House as concurred in.

Placed on file.

By Senator Austin: Senate bill No. 43, An act to authorize certain officers and persons to solemnize marriage.

Rules were suspended, read first and second time by title, ordered not to be printed, and referred to the Judiciary Committee.

House bill No. 13, reported by the Committee on Public Morals, with an amendment, was read third time.

On motion of Senator Forsyth, the bill was laid on the table indefinitely, or until the same be properly printed and placed on the senators' respective desks.

Senate bill No. 42 was read third time and ordered to lie on the table until printed.

House bill No. 42 was taken up, read a third time, and passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Houghton, Hunsaker, Hyde, Jones, Kinnear, Landes, Lawrence, Long, Luce, Owings, Preston, Payne, Parkinson, Rinehart, Seaborg, Vestal, Van Houten, Watt, Wilson, Whalley, Wolfe, Wooding — 29.

Absent or not voting: Senators Guilfoil, Kneeland, Snow, Thompson (of Pierce), Thompson (of Walla Walla), Wood.

The emergency clause was passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Houghton, Hunsaker, Hyde, Jones, Kinnear, Landes, Law-

rence, Luce, Owings, Preston, Parkinson, Rinehart, Seaborg, Vestal, Van Houten, Watt, Wilson, Whalley, Wooding — 26.

Nays: Long, Wolfe — 2.

Absent or not voting: Senators Guilfoil, Kneeland, Payne, Snow, Thompson (of Pierce), Thompson (of Walla Walla), Wood.

Senator Rinehart offered the following:

Resolved, That the president of the Senate be authorized to purchase a supply of enrolling paper for use of the Senate.

Adopted.

Senate bill No. 8 was then taken up, and the title amended by inserting after the word "unlawful" in the second line the words "for individuals, corporations or associations of persons, or their members, agents or officers."

Read third time, and passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Fariss, Hunsaker, Hyde, Jones, Kinnear, Landes, Lawrence, Luce, Preston, Payne, Parkinson, Rinehart, Seaborg, Vestal, Van Houten, Watt, Whalley, Wolfe, Wooding — 24.

Nays: Forsyth, Houghton, Long, Owings — 4.

Absent or not voting: Guilfoil, Kneeland, Snow, Thompson (of Pierce), Thompson (of Walla Walla), Wilson, Wood.

House bill No. 57 (substitute for House bill No. 6) was taken up, the amendments adopted, read third time, and passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fariss, Forsyth, Houghton, Hunsaker, Hyde, Jones, Kinnear, Landes, Lawrence, Long, Luce, Owings, Preston, Parkinson, Rinehart, Seaborg, Vestal, Van Houten, Watt, Whalley, Wolfe, Wooding — 26.

Absent or not voting: Fairweather, Guilfoil, Kneeland, Payne, Snow, Thompson (of Pierce), Thompson (of Walla Walla), Wilson, Wood.

The emergency clause of the bill was passed by the following vote:

Yeas: Austin, Baker, Drum, Fairweather, Fariss, Forsyth, Houghton, Hunsaker, Hyde, Jones, Kinnear, Landes, Lawrence, Long, Luce, Owings, Preston, Payne, Parkinson, Rinehart, Seaborg, Thompson (of Walla Walla), Vestal, Van Houten, Watt, Whalley, Wolfe, Wooding — 28.

Absent or not voting: Clough, Guilfoil, Kneeland, Snow, Thompson (of Pierce), Wilson, Wood.

Senator Long offered the following:

Resolved, That the mayor or city council of every city in the state be furnished with one copy of all printed bills pertaining to incorporation of cities, and that Senators be requested to furnish the sergeant-at-arms with a list of such cities in their respective districts, and he shall cause said copy to be forwarded by mail.

Senate bill No. 3 was reported correctly engrossed from the Engrossing Committee.

It was amended and passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Houghton, Hunsaker, Hyde, Jones, Kinnear, Landes. Lawrence, Long, Luce, Owings, Preston, Payne, Parkinson, Rinehart, Seaborg, Thompson (of Walla Walla), Vestal, Van Houten, Watt, Wilson, Whalley, Wolfe, Wooding—30.

Absent or not voting: Guilfoil, Kneeland, Snow, Thompson (of Pierce), Wood.

The emergency clause was adopted by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Houghton, Hunsaker, Hyde, Jones, Kinnear, Landes, Lawrence, Luce, Owings, Preston, Payne, Parkinson, Rinehart, Seaborg, Thompson (of Walla Walla), Vestal, Van Houten, Watt, Wooding, Wilson, Whalley, Wolfe—29.

Absent or not voting: Guilfoil, Kneeland, Long, Snow, Thompson (of Pierce), Wood.

Senate bill No. 22 was reported from the Engrossing Committee, read third time, and passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Houghton, Hunsaker, Hyde, Jones, Kinnear, Landes, Lawrence, Luce, Owings, Preston, Payne, Parkinson, Rinehart, Seaborg, Thompson (of Walla Walla), Vestal, Van Houten, Watt, Wilson, Wolfe, Wooding—28.

Absent or not voting: Guilfoil, Kneeland, Long, Snow, Thompson (of Pierce), Whalley, Wood.

Senate concurrent resolution No. 9 was taken up, read third time, and passed by the following vote:

Yeas, Austin, Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Houghton, Hunsaker, Hyde, Jones, Kinnear, Landes, Law-

rence, Luce, Owings, Preston, Payne, Parkinson, Rinehart, Seaborg, Thompson (of Walla Walla), Vestal, Watt, Wilson, Whalley, Wolfe, Wooding — 28.

Absent or not voting: Guilfoil, Kneeland, Long, Snow, Thompson (of Pierce), Van Houten, Wood — 7.

A communication was read from the governor transmitting the respective reports of the commissioners of the territorial penitentiary, and building commissioners for Washington School for Defective Youth.

On motion of Senator Fairweather the Senate adjourned at 4:35 P. M.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, December 7, 1889.
10 o'clock A. M.

Senate called to order pursuant to adjournment; president in the chair.

Roll call; all present except Senator Snow, absent on leave, and Senators Guilfoil, Thompson (L. F.), Kneeland and Wood, excused.

Journal of yesterday read and approved.

Senator Landes rose to question of privilege. He said:

On yesterday my friend, the honorable senator from Kittitas, Mr. Wilson, disclosed the fact, which was new to me, that rumors were being circulated in the corridors of the capitol and elsewhere, that a senator on this floor was personally interested in the printing contract recently given by both houses of this legislature to the "State Printing and Publishing Company" of Olympia.

Mr. President, I presume that I am the offending senator whose name and reputation Dame Rumor is so busily engaged in bringing into unenviable notoriety, and I desire, therefore, to make a brief statement of facts, and then I shall cheerfully and confidently entrust the question of the rectitude of my course to this honorable body and a candid public.

About a year ago I subscribed for two shares of the capital stock of the "State Printing and Publishing Company," and paid therefor one hundred dollars. At the time, I regarded it not as an investment, but rather in the light of a donation to an uncertain enterprise which was being started by some of my good friends, and, finally, the fact that I had bought those two shares escaped my memory and was forgotten.

But, Mr. President, if any senator or member of the House, or any citizen, imagines the owning of *two* shares in that concern could influence the vote of any member of this legislature, or that my personal friendship for individual members of the "State Printing and Publishing Company," would influence my vote in their favor, as against the public good, I challenge him to show where or when I have ever, directly or indirectly, by vote, word or deed, exerted, or even *attempted* to exert, such influence. And, furthermore, I appeal to the honorable senators surrounding me, with an abiding confidence that they will bear testimony to the truth of the declaration which I now solemnly make, that, when the original resolution was offered in the Senate to give the printing *exclusively* to the "State Printing and Publishing Company" for thirty days, I voted for the substitute resolution offered by the honorable senator from King, Mr. Kinnear, and thereby assisted in defeating the original resolution, and in leaving the printing contract open to competitive bids from all the printers in the state. "If this be treason, make the most of it!"

At the request of the president, the secretary read page 18 of the journal session of the 12th of November, showing that Senator Landes' vote was recorded in favor of competitive bids for printing.

Senator Rinehart offered the following:

Resolved, That the engrossing and enrolling committees be authorized to employ a clerk jointly, at $5 per day, and that Albert M. Mitchell be and is hereby elected as such clerk. And when not engaged by said committees that he assist the engrossing and enrolling clerks.

Adopted.

Senator Whalley gave notice that he would offer, on Monday, a resolution providing for the purchase of postage stamps for the members of the Senate.

The Judiciary Committee reported favorably on Senate bill 43.

On Senate bill 25 the committee reported that it be indefinitely postponed.

Reported favorably on House bill 30 and on House bill 38.

The Enrolling Committee reported Senate memorial No. 1 properly enrolled.

The chief clerk of the House appeared and announced that the House had passed House bill No. 52, providing for changing the name of the town of Seatco to Bucoda.

The Commerce Committee on House memorial No. 1 recommended the passage of the memorial.

Senator Hunsaker offered Senate bill No. 44, An act authorizing and empowering the organized counties of the State of Washington to issue and dispose of bonds, provide funds to pay their

outstanding indebtedness and to provide funds for the payment of the principal and interest thereof.

House bill No. 52 was read first time, rules suspended, read second time by title, and referred to the Committee on Municipal Corporations.

Senate bill No. 44 was taken up, rules suspended, read first and second time by title, and referred to Committee on Public Revenue and Taxation.

Senate bill No. 43 was taken up, read third time, and passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Houghton, Humsaker, Hyde, Jones, Kinnear, Landes, Lawrence, Long, Luce, Owings, Preston, Payne, Parkinson, Rinehart, Seaborg, Thompson (of Walla Walla), Vestal, Van Houten, Watt, Wilson, Whalley, Wolfe, Wooding—30.

Absent or not voting: Guilfoil, Kneeland, Snow, Thompson (of Pierce), Wood.

The emergency clause was passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Houghton, Humsaker, Hyde, Jones, Kinnear, Lawrence, Long, Luce, Owings, Preston, Parkinson, Rinehart, Seaborg, Thompson (of Walla Walla), Vestal, Van Houten, Watt, Wilson, Whalley, Wolfe, Wooding—28.

Nays: Payne—1.

Absent or not voting: Guilfoil, Kneeland, Landes, Snow, Thompson (of Pierce), Wooding.

House memorial No. 1, reported from the Enrolling Committee, was read and put on its final passage.

Passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fariss, Houghton, Humsaker, Hyde, Jones, Kinnear, Landes, Lawrence, Long, Luce, Preston, Payne, Parkinson, Rinehart, Seaborg, Thompson (of Walla Walla), Vestal, Van Houten, Watt, Wilson, Whalley, Wolfe, Wooding—27.

Absent or not voting: Fairweather, Forsyth, Guilfoil, Kneeland, Owings, Snow, Thompson (of Pierce), Wood.

The report of the commissioners of the territorial penitentiary, received from the governor on December 6th, was referred to the Committee on State Prisons and 150 copies ordered to be printed.

The report of the building commissioners for the Washington School for Defective Youth, received from the governor on December 6th, was referred to Committee on Claims and 150 copies ordered printed.

Senator Owings moved that the Printing Committee be authorized to cause sufficient copies of Senate bill No. 5 to supply the demand, under the vote of the Senate directing the sergeant-at-arms to distribute copies to the various cities in the state.

Adopted by a divisional vote: Yeas 18, nays 9.

On motion of Senator Kinnear, the Senate, at 11 A. M., adjourned until Monday, December 9th, at 1:30 P. M.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, December 9, 1889.
1:30 o'clock P. M.

Senate called to order pursuant to adjournment; the president in the chair.

Roll called, all present, except Senator Snow, absent on leave, and Senators Austin, Baker, Drum, Kneeland, Rinehart and Wood, excused.

Senator Rinehart was granted leave until Thursday.

Senator Wood was excused for another week.

Journal of yesterday was read and approved.

Senator Whalley offered the following:

Resolved, That the sergeant-at-arms be ordered to procure for the president and each member of the Senate postage stamps to the value of $5.

Adopted.

Senator Jones offered the following:

That rooms 7 and 8 in Temple Flat be engaged for the use of the Committees on Mines and Mining, Labor Statistics, Commerce, Memorials, County and County Boundaries and State Library at $50 per month.

Lost.

Senator Forsyth, from the Committee on Memorials, reported House memorial No. 2, with recommendation that it pass.

The following message was read:

EXECUTIVE DEPARTMENT, STATE OF WASHINGTON,
LIEUTENANT-GOVERNOR'S OFFICE,
OLYMPIA, December 9, 1889.

To the Honorable Senate, State of Washington:

GENTLEMEN—In compliance with a resolution adopted by your honorable body December 6th, authorizing me to purchase a supply of enrolling paper, I beg to say that I have performed this duty, and the enrolling paper is now in the hands of the Committee of Enrollment. A bill for same will follow. I have the honor to be,

Your obedient servant,
CHAS. E. LAUGHTON,
President of the Senate.

INTRODUCTION OF BILLS.

By Senator Whalley: Senate bill No. 45, An act to create the office of state printer, to provide for election, the term of office and qualification of said officer, and prescribing his duties.

Rules suspended, read first and second time by title, and referred to Committee on Printing.

By Senator Whalley: Senate bill No. 46, An act to provide for the state printing and binding, fixing the compensation of the state printer, prescribing his duties and to provide for the purchase of printing and binding materials.

Rules suspended, read first and second time by title, and referred to Committee on Printing.

By Senator Seaborg: Senate bill No. 47, An act for establishing and maintaining state normal schools in the State of Washington.

Rules suspended, read first and second time by title, and referred to Committee on Education.

By Senator Kinnear: Senate bill No. 48, An act to provide petit jurors for the superior courts of this state.

Rules suspended, read first and second time by title, referred to Judiciary Committee, with orders to have the bill printed at once.

By Senator Kinnear: Senate bill No. 49, An act to provide for the determination of conflicting claims to property, money or indebtedness.

Rules suspended, read first and second time by title, referred to Committee on Judiciary.

By Senator Lawrence, by request of State Teachers' Association, Senate bill No. 50, An act to establish a uniform common school system.

Rules suspended, read first and second time by title, referred to Committee on Education.

The chief clerk of the House appeared and announced that the House had passed the following:

House memorial No. 4, In relation to opening the Nooksack river.

House bill No. 33, An act in relation to registering marks and brands on all stock shipped on railroads.

House bill No. 31, An act to provide for the publication of the supreme court reports.

Senate memorials No. 5, No. 7 and No. 1; the latter having been signed by the speaker of the House.

Also, amended Senate concurrent resolution No. 15, by adding the words, "Secretary of state and state auditor" after the word "governor," and passed it as amended.

Also, Senate bill No. 43.

Also, passed House joint resolution No. 10, In relation to the opening of the Nooksack river.

House memorial No. 2, In relation to certain lands in Stevens county, passed by the House November 30, was reported back from the Senate Committee on Memorials favorably.

The memorial was read third time, and passed by the following vote:

Yeas: Clough, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Jones, Kinnear, Landes, Lawrence, Luce, Owings, Parkinson, Preston, Seaborg, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson — 23.

Absent or not voting: Austin, Baker, Drum, Fairweather, Kneeland, Long, Payne, Rinehart, Snow, Wolfe, Wood, Wooding.

House bill No. 38, reported from the Judiciary Committee with amendments.

First amendment: Add after "Washington" the words "and declaring an emergency."

Second amendment: Section 3 to read as follows:

WHEREAS, There is no provision of law for the payment of mileage and per diem of legislators; therefore, an emergency exists, and this act shall take effect and be in force from and after its passage and approval by the governor."

Senator Wilson moved to strike from the title the words "a bill for."

Adopted.

The amendments were concurred in.

House bill No. 30, An act to prescribe the duties and fix the compensation of the reporter of the supreme court, was taken up.

Senator Long moved to strike out the last section, No. 6.

Yeas and nays called for by Senators Long, Wilson, Lawrence, Owings, Payne and Vestal.

The motion was adopted by the following vote:

Yeas: Fariss, Forsyth, Humsaker, Lawrence, Long, Owings, Parkinson, Payne, Preston, Thompson (L. F.), Van Houten, Vestal, Wilson, Wolfe — 14.

Nays: Clough, Houghton, Hyde, Jones, Kinnear, Landes, Luce, Seaborg, Thompson (G. T.), Watt, Whalley — 11.

Absent or not voting: Austin, Baker, Drum, Fairweather, Guilfoil, Kneeland, Rinehart, Snow, Wood, Wooding.

On motion of Senator Long, the bill was made a special order for Thursday, the 12th of December, at 2 o'clock P. M.

Senators Houghton and Payne gave notice that they would move to reconsider, on Tuesday, 10th inst., the vote by which section 6 was stricken out.

Senate memorial No. 7 was referred to Committee on Enrollment.

House joint resolution No. 10 was taken up, rules suspended, read first and second time by title, and referred to Committee on Memorials.

Senate concurrent resolution No. 15 was taken up, and House amendments concurred in, as follows: Insert "secretary of state and state auditor" after the word "governor."

Referred to Engrossing Committee.

House bill No. 33 was taken up, rules suspended, read first and second time by title, and referred to Committee on Agriculture, and ordered to be printed.

Senate bill No. 43 was referred to Committee on Enrollment.

House bill No. 31, rules suspended, read first and second time by title, and referred to Committee on Judiciary, and ordered printed.

Senate memorial No. 5 was referred to the Enrolling Committee.

House memorial No. 4, rules suspended, read first and second time by title, rules again suspended, read third time, and passed by the following vote:

Yeas: Clough, Fariss, Guilfoil, Houghton, Humsaker, Hyde,

Jones, Kinnear, Landes, Lawrence, Long, Parkinson, Payne, Preston, Seaborg, Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe — 22.

Absent or not voting: Austin, Baker, Drum, Fairweather, Forsyth, Luce, Owings, Rinehart, Snow, Thompson (G. T.), Wood, Wooding.

On motion of Senator Hunsaker, the Senate, at 3 P. M., adjourned until 1:30 P. M. Tuesday, December 10th.

AFTERNOON SESSION.

SENATE CHAMBER
OLYMPIA, WASHINGTON, December 10, 1889.
1:30 o'clock P. M.

The Senate was called to order pursuant to adjournment; the president in the chair.

Roll called; all present except Senator Snow, on leave, and Senators Drum, Fairweather, Kneeland, Rinehart, Wood and Wooding, excused.

Journal of yesterday read and approved.

The clerk of the House appeared with messages announcing that the speaker had signed enrolled House bills Nos. 4 and 42.

Senator Lawrence was called temporarily to the chair.

Senator Thompson (L. F.) introduced Senate memorial No. 8, relative to giving the Puyallup Railway Company the right-of-way through the Puyallup Indian reservation.

On motion of Senator Houghton, the rules were suspended, memorial read first and second time by title, rules again suspended, read third time, and passed by the following vote:

Yeas: Austin, Baker, Clough, Fariss, Forsyth, Houghton, Hunsaker, Hyde, Jones, Kinnear, Landes, Lawrence, Long, Luce, Owings, Parkinson, Preston, Seaborg, Thompson (G. T.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe — 25.

Absent or not voting: Drum, Fairweather, Guilfoil, Kneeland, Payne, Rinehart, Snow, Thompson (L. F.), Wood, Wooding.

Senator Clough offered Senate memorial No. 9, asking an appropriation of $9,000 to remove a sand bar in the Columbia river, near Vancouver.

The rules were suspended, read first and second time by title, and referred to Committee on Memorials.

Senator Vestal moved that Senate memorial No. 2 be taken from the Committee on Federal Relations and referred to the Committee on Memorials.

Senator Houghton moved to amend, that the memorial be placed on file for third reading.

Adopted.

President Laughton, who had resumed the chair, signed House bills Nos. 4 and 42, and announced the fact to the Senate.

Senator Whalley moved that a committee of three be appointed for the purpose of recommending a plan of dividing the state into senatorial districts, and stating the number thereof, in accordance with the provisions of constitution in article 2, section 6.

Senator Long moved to amend to make the committee five instead of three.

Adopted.

Senators Austin, Baker, Houghton, Thompson (G. T.), Thompson (L. F.) and Watt called for the yeas and nays on the motion as amended.

Lost by the following vote:

Yeas: Clough, Forsyth, Houghton, Hunsaker, Jones, Kinnear, Landes, Lawrence, Parkinson, Seaborg, Thompson (L. F.), Vestal, Whalley—13.

Nays: Austin, Baker, Fariss, Hyde, Long, Luce, Owings, Preston, Thompson (G. T.), Van Houten, Watt, Wilson, Wolfe—13.

Absent or not voting: Drum, Fairweather, Guilfoil, Kneeland, Payne, Rinehart, Snow, Wood, Wooding.

A message from the governor was received announcing the appointment of Daniel F. Percival as commissioner of the Insane Asylum at Medical Lake, vice Daniel M. Drumheller resigned, and asking the advice and consent of the Senate thereon.

Placed on file.

The chair gave notice that he had signed Senate bill No. 43, An act to authorize certain officers and persons to solemnize marriages, passed by the Senate December 7th, and passed by the House December 7th.

A communication from the state auditor, giving general and special estimates for appropriations required for his office, was read first time and referred to Committee on Salaries.

COMMUNICATION FROM THE SECRETARY.

A communication from the secretary of the Senate was read; as follows:

OLYMPIA, December 10, 1889.

Gentlemen of the Senate:

By request of the Senate November 27th, the secretary of the Senate was instructed to make appropriate references to Senate committees of the subject matter of Governor Ferry's message to the joint legislature. The references are made as follows:

Convict labor, page 7, to Committee on State Prison.

Statistics, agriculture and immigration, page 7, to Committee on Agriculture.

Protection of miners and others, page 7, to Committee on Mines and Mining.

Free passes, pages 7 and 8, to Corporations other than Municipal.

Commissioner of public lands, page 8, to Commitee on State, Granted and School Lands.

Justices of the peace, page 8, to Committee on Judiciary.

Elections, page 8, to Committee on Elections and Privileges.

Revenue and taxation, pages 8 and 9, to Committee on Public Revenue and Taxation.

Education, page 9, to Committee on Education.

The militia, page 9, to Committee on Military.

Soldiers' home, page 10, to Committee on Military.

County and municipal governments, page 10, to Committee on Municipal Corporations.

Corporations, page 10, to Committee on Corporations other than Municipal.

Reformatory institutions, page 11, to Committee on State Prison.

Harbor commission, page 11, to Committee on Harbor Lines and Navigable Streams.

State board of health, page 12, to Committee on Medicine, Surgery, etc.

State lands, page 12, to Committees on State, Granted and School Lands, and State Tide Lands.

Respectfully,

C. M. BARTON,

Secretary.

House bill No. 38, For the payment of the members of the Legislature of the State of Washington, was read third time, and passed by the following vote:

Yeas: Austin, Baker, Clough, Fariss, Forsyth, Houghton, Hyde, Jones, Kinnear, Landes, Lawrence, Luce, Parkinson, Preston, Seaborg, Van Houten, Vestal, Watt, Wilson, Wolfe — 19.

Nays: Hunsaker, Long, Owings, Thompson (G. T.), Thompson (L. F.), Whalley — 6.

Absent or not voting: Drum, Fairweather, Guilfoil, Kneeland, Payne, Rinehart, Snow, Wood, Wooding.

The emergency clause was passed by the following vote:

Yeas: Austin, Baker, Clough, Fariss, Forsyth, Houghton, Hunsaker, Hyde, Jones, Kinnear, Landes, Lawrence, Long, Luce, Parkinson, Preston, Seaborg, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe — 25.

Absent or not voting: Drum, Fairweather, Guilfoil, Kneeland, Owings, Payne, Rinehart, Snow, Wood, Wooding.

Senate memorial No. 2, was taken up and amended, on motions of Senators Long, Houghton and Owings, and referred to the Engrossing Committee.

The amendments made to the memorial were as follows:

In lines ten and eleven of the original bill strike out "750,000" and insert "532,000."

In line six of the first paragraph, beginning with the word "therefore" after the word "of," strike out "any" and insert "so much."

In line seven of same paragraph, after the word "Washington," insert "as may be required to carry into effect the provisions of said act of congress."

Insert at end of same paragraph "save and except the right of homestead by bona fide citizens should not be denied at any time."

COMMITTEE REPORT.

The report of the committee on House joint resolution No. 9, was read as follows:

OLYMPIA, December 10, A. D. 1889.

MR. PRESIDENT:

Your Committee on Printing, to whom was referred House joint resolution No. 9, beg leave to report that we have carefully examined said resolution, and are of the opinion that it would be impolitic to let the contract for legislative printing to the lowest bidder, for many reasons, chief of which is that it would be impracticable for the work, more especially the printing of bills, to be done at any other place than the seat of government. This would confine the bidders to Olympia, where it would be possible for the few establishments there to combine and fix a rate greatly in excess of what the state should pay for such work.

We would recommend the adoption, by enactment, of such a scale of prices as to insure good work and reasonable remuneration for the same, believing that it is not the policy of this legislative body to so reduce the price of any class of labor that the artisan cannot receive full compensation for his services. If this legislature should, in its wisdom, so fix a scale of prices that the public printer could employ skilled labor, pay the usual wages and receive a fair return for the capital invested in type,

presses, etc., there would be no opportunity for jobbery, and the object desired would be attained without unnecessary friction or expensive and damaging delays.

We would therefore recommend that House joint resolution No. 9 be indefinitely postponed. All of which is respectfully submitted.

(Signed) E. T. WILSON, Chairman.
H. H. WOLFE.
E. B. HYDE.

House joint resolution No. 9 was then taken up.

Senator Fariss moved to indefinitely postpone the resolution.

The yeas and nays were called for by Senators Kinnear, Owings, Long, Austin, Whalley and Baker.

The resolution was indefinitely postponed by the following vote:

Yeas: Austin, Baker, Clough, Fariss, Houghton, Humsaker, Hyde, Jones, Landes, Lawrence, Long, Luce, Owings, Parkinson, Payne, Preston, Seaborg, Thompson (G. T.), Thompson (L. F.), Van Houten, Watt, Whalley, Wilson, Wolfe—24.

Nays: Forsyth, Guilfoil, Kinnear, Vestal—4.

Absent or not voting: Senators Drum, Fairweather, Kneeland, Rinehart, Snow, Wood, Wooding.

Senate bill No. 39 was reported back from the Committee on Public Buildings and Grounds with amendments and recommendations that the bill pass as amended.

The Senate resolved itself into committee of the whole, Senator Kinnear in the chair.

The committee arose, reported the amendments to the Senate which were adopted, and on motion of Senator Long the bill was referred to the Engrossing Committee.

Senate memorial No. 4, relative to withdrawn lands for the benefit of the Northern Pacific Railroad company, was reported favorably by the Senate Committee on Memorials.

Read third time, and passed by the following vote:

Yeas: Austin, Baker, Clough, Fariss, Forsyth, Guilfoil, Houghton, Humsaker, Hyde, Jones, Kinnear, Landes, Lawrence, Long, Owings, Payne, Preston, Seaborg, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe—26.

Absent or not voting: Drum, Fairweather, Kneeland, Luce, Parkinson, Rinehart, Snow, Wood, Wooding.

House bill No. 52, reported favorably by the Committee on Municipal Corporations, was, on motion of Senator L. F. Thomp-

son, made the special order for Wednesday, 11th inst., at 2 o'clock P. M.

On motion of Senator Long, the Senate went into executive session, and Daniel F. Percival was confirmed as a commissioner of the Insane Asylum at Medical Lake by a unanmous vote.

On the doors being opened, Senator Payne moved that the vote by which section 6 of House bill No. 30 was stricken out be reconsidered.

The president ruled the motion out of order, as the bill had been set for special order Thursday, 12th inst., at 2 o'clock.

The chair also ruled that the special order carried with it in this case the right to move a reconsideration of the vote by which amendments were carried.

On motion of Senator Whalley, the Senate adjourned, at 4 P. M., until 1:30 to-morrow.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, December 11, 1889.
1:30 o'clock P. M.

Senate met pursuant to adjournment at 1:30 P. M., Wednesday, 11th inst.

Roll call; all present except Senator Snow, on indefinite leave, and Senators Drum and Wood, excused.

Journal of yesterday read and approved.

The chief clerk of the House appeared and announced that the House had passed House memorial No. 5, asking congress to dredge Swinomish channel.

Also, House memorial No. 6, Asking for a ship canal from tide water through Lakes Union, Washington and Samamish.

Also, House memorial No. 7, Asking for an appropriation to sink artesian wells in eastern Washington.

Also, that the House had amended Senate bill No. 8, in its title and at the end of section 2, and passed the bill.

Also, amended Senate bill No. 9, in its title, and passed the bill, but failed to pass the emergency clause by vote of 21 yeas and 40 nays.

Also, passed Senate memorial No. 8.

Also, passed House bill No. 39, An act to prevent persons from wearing the badge or button of the Grand Army of the Republic.

Also, that the speaker has signed Senate bill No. 43.

Also, adopted the report of the free conference committee on salaries of officers and employes of the two houses.

Also, that the speaker had signed enrolled House memorial No. 1.

Also, House memorial No. 3, and transmitted the same to the Senate for the president's signature.

Also, passed Senate memorial No. 4.

Senator Landes offered Senate memorial No. 10, for an appropriation of $50,000 to erect a light house in the San Juan passage.

Rules suspended, read first and second time by title, and referred to Committee on Memorials.

Senator Landes offered two lengthy petitions relative to procuring the establishment of a state normal school at Port Townsend.

Read, and referred to Committee on Education.

By Senator Owings: Senate concurrent resolution No. 16, In relation to the presentation of petitions, memorials and joint resolutions to our representatives in congress, was read and referred to Committee on Memorials.

COMMITTEE REPORTS.

The standing committees reported as follows:

On Senate concurrent resolution No. 15, the Committee on Engrossment reported it correctly engrossed.

On Senate bill No. 2, the same report.

On Senate bill No. 39, the same report.

On Senate Memorial No. 7, the Enrollment Committee reported it properly enrolled.

On Senate memorial No. 5, the same report.

On Senate memorial No. 1, the same report.

The president then gave notice that he had just affixed his signature to Senate joint resolution No. 7, Senate memorial No. 5 and Senate memorial No. 1.

COMMITTEE REPORT.

The Judiciary Committee reported as follows:

To the President of the Senate:

Your joint committee appointed in accordance with Senate concurrent resolution No. 7 for the purpose of receiving the work of the code commissioners, and making a general examination thereof, and to report the same to this session of the legislature, with recommendations as to what

would be best to be done with the same, would respectfully report that said code commissioners, consisting of Messrs. Doolittle, Isham and Snively, appeared before your committee and delivered their work to the committee, consisting of nine packages, there being four divisions of the work, to wit: Civil, penal, remedial and political; that said packages were distributed to the members of this committee, and a careful examination thereof made by them, and several meetings held to compare notes, make observations, and discuss the best course to pursue in reference to the disposition to be made of the work of the commissioners; that after such examination and investigation, your committee came to the unanimous conclusion that the work of said commission was not in shape to be presented to the legislature to be acted upon and adopted at this time, and that it would take several months of the time of that body to complete the work, if it could be done at all, in a satisfactory manner, in a body so large.

In view of the embarrassing situation your committee addressed a letter to W. Lair Hill, Esq., an able lawyer of this state, the gentleman who compiled, arranged and annotated the laws of Oregon, and who has had a wide experience in these matters, asking him for such information as he could give, as to time required to complete the code, probable cost thereof, and further asking him if he would undertake the work, to state his terms and price, to be used in case the legislature should see fit to employ him.

Mr. Hill replied in writing to the letter of your committee, a copy of which, together with a copy of the letter of the committee to him, is herewith submitted.

Your committee has carefully considered Mr. Hill's communication, and is favorably impressed therewith, and it is the unanimous judgment of the committee that the legislature should promptly accept his terms for providing a complete code.

Your committee has prepared a bill in duplicate embodying the terms and conditions in full for the preparation and publication of the code under Mr. Hill's proposition, and presents a copy to each House for their consideration and action, and respectfully recommends the passage thereof.

Your committee further reports that the code commissioners turned over to it all their work, unconditionally, as the property of the state, and that your committee holds the same subject to the order of the legislature.

All of which is respectfully submitted.

JOHN R. KINNEAR,
H. E. HOUGHTON,
GEO. T. THOMPSON,
Committee on the part of the Senate.

S. C. HERREN,
JOHN D. GEOGHEGAN,
J. A. KUHN,
E. R. PICKRELL,
R. H. HUTCHINSON,
Committee on the part of the House.

STATE OF WASHINGTON,
SENATE CHAMBER,
OLYMPIA, December 9, 1889.

Hon. W. Lair Hill:

DEAR SIR—As you have had considerable experience in revising, compiling and annotating statutes, and as we are charged with the duty of recommending to the legislature of Washington some method of disposing of the question of a new code, we take the liberty to request some suggestions from you as to the length of time required to properly compile, arrange, annotate, supply omissions and defects and index the laws of this state, and have the same submitted to the legislature, with your judgment as to the cost of the work.

We also desire to know if you would be willing to undertake this work if desired by the legislature.

Very respectfully,

S. C. HERREN,
J. A. KUHN,
R. H. HUTCHINSON,
E. R. PICKRELL,
GEO. T. THOMPSON,
H. E. HOUGHTON,
JOHN R. KINNEAR.

OLYMPIA, WASHINGTON, Dec. 9, 1889.

Hons. Geo. T. Thompson, H. E. Houghton, John R. Kinnear, S. C. Herren, J. A. Kuhn, and E. P. Pickerell:

GENTLEMEN—Your favor of to-day was duly received, and I have given its contents careful attention; and, in response to the several inquiries, have to say:

1. As to the length of time required to compile, arrange, annotate, supply omissions and defects, and index the laws of this state, in my opinion, based upon considerable experience in that line of work, is, that one year, at least, would be required to perform the work properly. No man who has not attempted such a task will be likely to form an adequate idea of the amount of labor it involves; and there is no work in which haste is likely to work greater mischief.

2. With respect to the cost: In order to have the work in a condition to be submitted to the legislature, and in a condition for that body to act intelligently upon it, I see no practicable way but by having it printed before being presented to the legislature, and a copy laid upon the desk of each member. This printing could, of course, go forward while the editorial work is being done; but it would be an important element in the cost. I estimate that the cost of editorial work, including clerk hire, would be about $10,000; and the printing, including, say 1,000 copies, in two volumes, bound and put up in good law book style, after final action by the legislature, at about $10,000 more.

3. Would I be "willing to undertake this work if desired by the legislature?" I have concluded to say—not without some hesitation on account of the responsibility of the work—that I should be willing to undertake it: and in order to put the matter into tangible form without delay, have prepared the following business proposal for the compilation and publication of a code of laws for the state:

I will compile, arrange and fully annotate the laws contained in the code of Washington Territory of 1881, and the laws passed since, including those of the present session of the legislature: I will prepare in form for enactment, such additional laws and amendments and such repeal or superfluous laws as seem necessary to harmonize the whole body of our laws with the constitution of the state, and the new order of things incident to the change from territorial to a state government, together with a bill for the enactment thereof, expecting in this connection to be allowed to make such use as seems desirable of the work reported by the late Territorial Code Commission.

I will print this work in two royal octavo volumes (which I estimate at about 800 pages each), and complete the entire work in time for action by the legislature to meet in January, 1891.

I will furnish to the governor of the state, for examination by himself, and the judges of the supreme and superior courts and members of the legislature, 150 sets of the work, printed, indexed and bound in paper binding.

Immediately upon the adjournment of the legislature in 1891 I will republish the volumes, with such modifications and additions as the legislature shall have made, and deliver to the secretary of state 1,000 sets of the two volumes, printed and bound in the best style of law-book publishing.

I shall wish to receive as full compensation for the editorial work named, and the entire publishing and republishing of the volumes, and furnishing of the 1,150 copies, the sum of $16,000, payable as follows: $1,000 when the editorial work on the remedial and penal code is completed; $1,000 when all the editorial work is completed, excepting the work of arranging the general laws passed at the session of 1891; $1,000 when the 150 copies are delivered to the governor, and $1,000 when the 1,000 sets are delivered to the secretary of state.

I will further agree to furnish to the state and the public all the additional copies required, for a period of six years from date of final publication, at a price not to exceed $10 per set.

This proposition is submitted upon the assumption that if the legislature should determine to act upon it, such action should be promptly taken, as I should not wish to undertake a work of such magnitude and responsibility, under an obligation to complete it within the time indicated, unless it could be commenced without delay.

In explanation of the difference between the estimated aggregate cost of $20,000, and the proposed amount of $16,000, it is proper to say that I estimate that sales of the volumes, in addition to the 1,000 copies of the complete work furnished to the state, would probably realize about $1,000 before the work would go out of date so as to be unsalable.

Very respectfully, W. LAIR HILL.

The committee also offered in connection with the report Senate bill No. 51, An act to appoint a commissioner to compile, rearrange and annotate the laws of Washington, and to provide for the public distribution thereof.

SPECIAL ORDER.

The hour of 2 o'clock having arrived, the president announced the special order of the day, House bill No. 52, Providing for the changing of the name of the town of Seateo to Bucoda.

The bill was passed by the following vote:

Yeas: Austin, Baker, Clough, Fairweather, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Jones, Kinnear, Landes, Lawrence, Long, Luce, Owings. Parkinson, Payne, Preston, Rinehart, Seaborg, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wooding—31.

Absent or not voting: Drum, Kneeland, Snow, Wood.

Senate bill No. 51 was taken up, rules suspended, read first and second times by title, and referred to Committee on Public Revenue and Taxation.

On motion of Senator Houghton, the bill was ordered not to be printed.

Senator Baker, from the joint committee of free conference, relative to salaries of officers and employes of both Houses, made a report and moved its adoption.

Lost by a divisional vote: Yeas 7, nays 20.

Senator Kinnear moved that the vote by which the report was not adopted, be re-considered.

Passed by a divisional vote: Yeas 17, nays 8.

Senator Owings moved to indefinitely postpone the report.

Passed by the following divisional vote: Yeas 19, nays 11.

Senator Owings moved that the question of salaries for the officers and employes of the Senate be referred to the Committee on Salaries and Mileage.

A unanimous call being made for the yeas and nays, the motion was passed as follows:

Yeas: Clough, Fariss, Hunsaker, Hyde, Jones, Lawrence, Long, Owings, Parkinson, Payne, Rinehart, Seaborg, Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson, Wooding — 19.

Nays: Austin, Baker, Drum, Forsyth, Guilfoil, Houghton, Kinnear, Landes, Luce, Preston, Thompson (G. T.), Wolfe — 12.

Absent or not voting: Fairweather, Kneeland, Snow, Wood.

INTRODUCTION OF BILLS.

Senate bill No. 52, An act to require the fencing of railroads; by Senator Austin.

By Senator Long: Senate bill No. 53, An act to legalize all deeds and other instruments of writing heretofore executed for the purpose of conveying real estate or any interest therein, or which in any manner affects the same, not witnessed by subscribing witnesses.

By Senator Long (by request): Senate bill No. 54, An act to prevent certain animals from running at large.

On motion of Senator Payne the rules were suspended, read first and second time, and House memorial No. 5 was read; rules further suspended, read third time, and passed by the following vote:

Yeas: Austin, Baker, Clough, Fairweather, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Jones, Kinnear, Landes, Lawrence, Long, Luce, Parkinson, Payne, Preston, Rinehart, Seaborg, Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson, Wooding — 28.

Absent or not voting: Drum, Kneeland, Owings, Snow, Thompson (G. T.), Wolfe, Wood.

House memorial No. 6 taken up.

On motion of Senator Fariss, rules suspended, read first and second times by title; rules again suspended, read third time, and passed by the following vote:

Yeas: Austin, Baker, Clough, Fairweather, Fariss, Forsyth,

Guilfoil, Houghton, Hunsaker, Hyde, Jones, Kinnear, Landes, Lawrence, Long, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wooding—30.

Absent or not voting: Drum, Kneeland, Snow, Thompson (G. T.), Wood.

House memorial No. 7 was taken up on motion of Senator Long.

Rules were suspended, read first and second times; rules again suspended, read third time, and passed by the following vote:

Yeas: Austin, Clough, Fairweather, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Jones, Kinnear, Landes, Lawrence, Long, Luce, Parkinson, Payne, Preston, Rinehart, Seaborg, Thompson (G. T.), Vestal, Watt, Whalley, Wilson, Wolfe, Wooding—27.

Absent or not voting: Baker, Drum, Kneeland, Owings, Snow, Thompson (L. F.), Van Houten, Wood.

Senate bill No. 9, reported from the House, was taken up.

Senator Kinnear moved that the Senate concur in the House amendments to title.

Agreed to.

The question then arose as to the emergency clause in the bill, the House having rejected it.

Without final action on the bill, it was made a special order for Thursday, December 12th, at 3 P. M.

Senate bill No. 8 was taken up.

The House amendment reported to section 1 was as follows: "*Provided*, That nothing in this act shall be so construed as to interfere with any sheriff or other legalized authority."

Senator Houghton moved that the further consideration of the amendment be made a special order for Friday, at 2 o'clock.

Lost by a divisional vote: Yeas 14, nays 17.

The president announced that he had affixed his signature to House memorials Nos. 1 and 3.

On motion of Senator Van Houten, the Senate, at 4:15 P. M., adjourned until 1:30 P. M. to-morrow.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, December 12, 1889,
1:30 o'clock P. M.

Senate called to order pursuant to adjournment; the president in the chair.

All present at roll call except Senator Snow, on leave, and Senator Wood, excused.

Journal of yesterday read and approved.

Senator Long offered Senate concurrent resolution No. 17, Relative to procuring blank reports printed for standing committees.

Passed.

Senator Kinnear offered Senate concurrent resolution No. 18, Relative to Code Commissioners Doolittle, Isham and Snively.

Passed.

The clerk of the House appeared and announced that the House had passed House memorial No. 8, Praying congress for a donation of certain lands for a fish hatchery on the Columbia river.

Also, passed House concurrent resolution No. 13, In relation to the time for and time of the duration of the holiday adjournment.

Also, that the House had reconsidered the vote taken yesterday, by which the report of the free conference on salaries was adopted, and did then reject the said report.

Also, that the speaker had signed enrolled House memorial No. 4, House bill No. 57, House bill No. 38 and House memorial No. 2, all of which have passed both houses and reported correctly enrolled.

The Judiciary Committee reported favorably on Senate bill No. 48, and recommended its passage.

THE MILEAGE.

The Committee on Public Revenue and Taxation presented the following:

Your Committee on Public Revenue and Taxation, to whom was referred the report of your special committee on mileage for members of the Senate, having had the same under consideration, report back to the

Senate with the recommendation that the president and secretary issue to each member a certificate for his mileage as therein set forth.

H. W. FAIRWEATHER.
S. VESTAL,
B. C. VAN HOUTEN.
C. T. WOODING;
J. HUNSAKER,
E. T. WILSON.
J. H. LONG.
HENRY DRUM.

REPORT OF SPECIAL COMMITTEE ON MILEAGE.

To the Senate:

Your Committee on Mileage would beg leave to report the mileage of each member of the Senate as follows:

Austin	892	miles.
Baker	72	"
Clough	284	"
Drum	72	"
Fairweather	840	"
Fariss	1,090	"
Forsyth	142	"
Guilfoil	240	"
Houghton	922	"
Hunsaker	426	"
Hyde	922	"
Jones	186	"
Kinnear	128	"
Kneeland	44	"
Landes	236	"
Lawrence	1,062	"
Long	62	"
Luce	936	"
Owings	2	"
Preston	788	"
Payne	228	"
Parkinson	460	"
Rinehart	128	"
Seaborg	324	"
Snow	—	
Thompson (of Pierce)	72	"
Thompson (of Walla Walla)	730	"
Vestal	192	"
Van Houten	922	"
Watt	986	"
Wilson	376	"
Wolfe	808	"

Whalley	1,114 miles.
Wood	128 "
Wooding	146 "

Respectfully submitted,
J. C. LAWRENCE, Chairman.

The report was adopted.

SALARIES OF OFFICERS AND EMPLOYES.

The Committee on Salaries and Mileage made a report, which was adopted, as follows:

Mr. President and Gentlemen of the Senate:

Your Committee on Salaries and Mileage, to whom was referred the re-adjustment of salaries of employes of the Senate, would respectfully submit the report herewith attached, and recommend the adoption of the same.

H. H. WOLFE, Chairman.
L. B. CLOUGH,
C. E. FORSYTH.

SENATE CHAMBER, December 12, 1889.

Secretary, per day	$7 00
Assistant Secretary, per day	6 00
Journal Clerk, per day	5 00
Enrolling Clerk, per day	5 00
Engrossing Clerk, per day	5 00
Sergeant-at-Arms, per day	6 00
Assistant Sergeant-at-Arms, per day	5 00
Messenger and Postmaster, per day	4 50
Watchman, per day	4 00
Pages, per day	2 50
Clerk to President, per day	4 00
Janitor for committee rooms, per day	4 00
Porter, per day	4 00
Two assistant clerks, heretofore known as Copying Clerks	5 00

Senator Owings moved that a clerk be allowed to the Committee on Corporations, at a compensation of $5 per day.

Passed.

The Committee on Education reported as follows:

OLYMPIA, WASHINGTON, December 12, 1890.

To the President of the Senate:

We, your Committee on Education, to whom was referred House bill No. 43, beg leave to report that we have had the same under consideration, and recommend that sections one and two be changed to read according to the riders attached thereto, and that said bill be passed as amended.

Very respectfully,
J. C. LAWRENCE, Chairman.
HENRY DRUM.
W. J. PARKINSON.

The Committee on Memorials reported on Senate memorial No. 3, that it be indefinitely postponed.

The communication from the state auditor, received December 10th, and referred to Committee on Salaries, was reported from the committee with a recommendation that it be referred to the Committee on Public Revenue and Taxation.

It was so referred.

INTRODUCTION OF BILLS.

House memorial No. 8, Relative to donation of lands for a fish hatchery on the Columbia river, passed by the House December 12th, was read.

Rules suspended, read first and second time by title; rules again suspended, read third time and passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Jones, Kinnear, Kneeland, Landes, Lawrence, Long, Luce, Owings, Parkinson, Payne, Rinehart, Seaborg, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wooding — 32.

Absent or not voting: Senators Preston, Snow, Wood.

By the Senate Judiciary Committee: Senate bill No. 55, "An act in relation to the appointment and pay of criers of the superior courts."

By Senator Parkinson: Senate bill No. 56, "An act to select a site for a soldiers' home and appointing a commission therefor."

By Senator Forsyth (by request): Senate bill No. 57, "An act regulating the practice of medicine and surgery in all their departments in the State of Washington."

By Senator L. F. Thompson: Senate bill No. 58, "An act to legalize the incorporation of towns and villages in the State of Washington."

SPECIAL ORDER.

The president announced that the hour, 2 P. M., had arrived for the consideration of House bill No. 30.

Senator Payne moved to reconsider the vote by which section 6 of the bill was stricken out.

Adopted.

Senator Long moved to strike out "two thousand dollars" in said section and insert "one thousand dollars."

Senator Parkinson moved to amend to strike out "two thousand dollars" and insert "fifteen hundred dollars."

The amendment was passed by a divisional vote of yeas 20; negative not taken.

BILLS SIGNED.

The president here announced that he had just signed House bill No. 38, House bill No. 57, House memorial No. 4 and House memorial No. 2.

House bill No. 30 was then passed by the following vote:

Yeas: Austin, Baker, Clough, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Jones, Kinnear, Kneeland, Landes, Lawrence, Luce, Parkinson, Rinehart, Seaborg, Thompson (G. T.), Vestal, Watt, Whalley, Wolfe, Wooding — 24.

Nays: Drum, Fairweather, Long, Owings, Payne, Van Houten, Wilson — 7.

Absent or not voting: Preston, Snow, Thompson (L. F.), Wood.

House concurrent resolution No. 13, passed by the House December 12, was read, as follows:

Resolved by the House, the Senate concurring. That the legislature adjourn at 12 o'clock noon on Friday, December 20, to meet again on Monday, January 6, 1890, at 2 o'clock P. M.

Senator Wilson moved to amend "To adjourn Friday, December 20, and convene on Monday, December 30, at 2 P. M.

Senator Long moved to amend "that no per diem shall be allowed members or employes during such recess, except the watchman."

SPECIAL ORDER.

The president announced that the special order for the consideration of Senate bill No. 9 had arrived. The question was on the emergency clause of the bill, which had failed to pass the House.

Senator Houghton moved "that the action of the House in failing to pass the emergency clause be regarded by the Senate as an amendment, and the Senate regarding it as an amendment, we now concur in the amendment of the House in striking it out."

Senator Kinnear offered the following substitute:

The secretary is instructed to make an entry on this bill that the House, by a vote of —— in favor and a vote of —— against, refused to vote an emergency to exist."

The president ruled that the substitute was out of order.

A call of the Senate was ordered by Senators Long, Owings, Rinehart, Hunsaker, Austin and Whalley.

All found present but Senators Preston and Thompson (L. F.), and Senator Snow, on indefinite leave.

Further proceedings under the call were dispensed with on motion of Senator Long.

The president divided the motion of Senator Houghton, the first part being "that the action of the House in failing to pass the emergency clause be regarded by the Senate as an amendment."

Senators Austin, Fairweather, Rinehart, Whalley, Wilson and Wooding called for the yeas and nays, and the first part of the motion was adopted by the following vote:

Yeas: Austin, Baker, Clough, Fariss, Forsyth, Houghton, Hunsaker, Hyde, Kneeland, Landes, Long, Luce, Owings, Parkinson, Payne, Rinehart, Seaborg, Van Houten, Vestal, Whalley, Wilson, Wolfe, Wooding—23.

Nays: Drum, Fairweather, Guilfoil, Jones, Kinnear, Lawrence, Thompson (G. T.), Watt—8.

Absent or not voting: Preston, Snow, Thompson (L. F.), Wood.

The president then put the second part of the motion: "Shall the Senate concur in the amendment of the House?" The vote resulted as follows:

Yeas: Austin, Baker, Clough, Fariss, Forsyth, Houghton, Hunsaker, Hyde, Kneeland, Landes, Long, Luce, Owings, Parkinson, Payne, Rinehart, Seaborg, Van Houten, Vestal, Whalley, Wilson, Wolfe, Wooding—23.

Nays: Drum, Fairweather, Guilfoil, Jones, Kinnear, Lawrence, Thompson (G. T.), Watt—8.

Absent or not voting: Senators Preston, Snow, Thompson (L. F.), Wood.

The president announced that the amendment was agreed to, and ordered the bill to be enrolled.

Senator Kinnear asked leave to offer a protest, which he gave notice he would do, on the following day.

Leave was granted.

On motion of Senator Luce the Senate, at 4:15, adjourned until 1:30 P. M. Friday, 13th inst.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, December 13, 1889.
1:30 o'clock P. M.

Senate called to order, pursuant to adjournment; the president in the chair.

Roll called, all present but Senator Snow, on indefinite leave, and Senator Preston, excused until Monday.

Journal of yesterday read and approved.

Senator Long moved that J. A. Clarendon be made assistant janitor at a salary of $4 per day.

Senator Kinnear moved to name R. B. Stewart.

Senator Hyde moved to name P. J. Waters.

The roll was called, and the vote resulted as follows:

For J. A. Clarendon: Austin, Baker, Clough, Drum, Fariss, Hunsaker, Kneeland, Landes, Long, Luce, Owings, Payne, Seaborg, Thompson (G. T.), Van Houten, Vestal, Watt, Whalley, Wolfe, Wooding—20.

For R. B. Stewart: Fairweather, Guilfoil, Jones, Kinnear, Parkinson, Rinehart, Thompson (L. F.), Wolfe—8.

For P. J. Waters: Forsyth, Houghton, Hyde, Lawrence—4.

Senator Austin moved that the Committee on State Tide Lands be allowed a clerk, at a per diem of $5.

Adopted.

Senator Geo. T. Thompson moved that the Committees on State Prison, Municipal Corporations, Public Morals, and Roads, Bridges and Fences be authorized to employ a clerk, to be selected by the chairman of the various committees mentioned, at a per diem of $5.

Adopted.

Senator Kneeland, from the Committee on Harbor Lines and Navigable Streams, asked that the committee be allowed a clerk at a per diem of $5.

Adopted.

INTRODUCTION OF MEMORIALS, ETC.

By Senator Fariss: Senate memorial No. 11, Praying for an appropriation for clearing the Palouse river.

Senator Fariss moved that the rules be suspended, and the memorial be read a first and second time by title.

Senator Drum moved to refer the memorial to the Committee on Memorials until such time as other memorials of a similar nature are presented and referred, so that action for presentation to congress can be taken on all at once.

The rules were suspended, the memorial read first and second time by title; rules again suspended, read third time, and passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Jones, Kinnear, Kneeland, Landes, Lawrence, Luce, Owings, Parkinson, Payne, Rinehart, Seaborg, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding—32.

Absent or not voting: Long, Preston and Snow.

REPORTS OF COMMITTEES.

The Judiciary Committee reported Senate bill No. 30, recommending that it be indefinitely postponed, the committee having already reported favorably on Senate bill No. 17.

The report was adopted.

Senator Vestal, from the Committee on Municipal Corporations, reported progress in the various matters before that committee.

The Judiciary Committee reported on Senate bill No. 17 with amendments, as follows:

In title, strike out all after the word "compensation."

Section 2, line 1, after the word "exercise," insert the words "the duties of."

Section 4, line 4, strike out the words "printed."

Strike out all of section 8.

On motion of Senator Kinnear the bill was placed on the general file.

COMMUNICATIONS.

The following communication was read:

SEATTLE, WASH., December 13.

To Lieutenant-Governor Laughton:

You and the State Senators are respectfully invited to attend the services in memory of our deceased citizens, Dr. T. T. Miner, Col. G. M. Haller and Louis Cox. Services will commence at 2 o'clock P. M., on Sunday next, in First Regiment armory, this city

ROBERT MORAN, Mayor.

On motion of Senator Kinnear, the communication was laid on the table until the House could be heard from on the subject.

SENATE BILL NO. 43 APPROVED.

The following was read:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT.
OLYMPIA, WASHINGTON, December 13, 1889.

To the Senate:

I have this day approved Senate bill No. 43, entitled "An act to authorize certain officers and persons to solemnize marriages."

Respectfully,

ELISHA P. FERRY, Governor.

House concurrent resolution No. 13, relative to holiday adjournment, was taken up, the pending amendment being as follows:

To adjourn Friday, December 20th, and convene on Monday, December 30th, at 2 P. M.

Senator Houghton offered the following: Insert "Monday, December 23" in place of "January 6th at 2 o'clock P. M."

Lost; yeas 7, nays 21.

Senator Fairweather moved to lay the subject on the table.

Lost.

Senator Austin moved that the Senate concur in House concurrent resolution No. 13.

Adopted; yeas 20, negative not taken.

Senator Long's amendment to the amendment was then taken up, as follows:

That no per diem shall be allowed members or employes during such recess, except the watchmen.

Senators Lawrence, Seaborg, Whalley, Baker, Rinehart and Long called for the yeas and nays.

The vote resulted as follows:

Yeas: Baker, Clough, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Kinnear, Lawrence, Long, Owings, Parkinson, Rinehart, Thompson (L. F.), Van Houten, Vestal, Wilson, Wolfe, Wood — 19.

Nays: Austin, Drum, Fairweather, Fariss, Jones, Kneeland, Landes, Luce, Payne, Seaborg, Watt, Whalley, Wooding — 13.

Absent or not voting: Preston, Snow, Thompson (G. T.).

Amendment was adopted.

COMMUNICATION FROM THE HOUSE.

The chief clerk of the House appeared and announced that the House had passed:

House bill No. 46, In relation to dykes and dams.

House bill No. 58, Appropriating money for stationery for members of the legislature.

House bill No. 62, To provide a temporary court-room for the supreme court.

Senator Kinnear, offered the following:

Resolved by the Senate, That a committee of five senators be appointed to attend the funeral services of the late Hons. T. T. Minor, G. Morris Haller and Lewis Cox, at Seattle, on Sunday next, at 2 o'clock P. M., in compliance with the request of the mayor of Seattle.

Adopted.

FIRST READING OF BILLS.

House bill No. 39 was taken up.

On motion of Senator Kinnear the rules were suspended, the bill read a first and second time by title and referred to the Military Committee.

Senate memorial No. 4 was referred to the Enrolling Committee.

Senate memorial No. 8 was referred to the Enrolling Committee.

Senate bill No. 52: Rules suspended, read first and second times by title and referred to the Committee on Corporations other than Municipal.

Senate bill No. 53: Rules suspended, read first and second times by title and referred to the Judiciary Committee.

Senate bill No. 54: Rules suspended, read first and second times by title and referred to the Committee on Agriculture.

Senate bill No. 55: Rules suspended, read first and second times by title and placed on general file.

Senate bill No. 56: Rules suspended, read first and second times and referred to the Military Committee.

Senate bill No. 57: Rules suspended, read first and second times and referred to the Committee on Medicine, Surgery, Hygiene and Dentistry.

Senate bill No. 58: Rules suspended, read first and second time by title, and referred to the Committee on Corporations other than Municipal.

THIRD READING AND PASSAGE OF BILLS.

Senate bill No. 39, For the relief of Thomas M. Reed, Robert Frost and H. B. McElroy, reported correctly engrossed December 11, was read a third time and passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Jones, Kinnear, Kneeland, Landes, Lawrence, Long, Luce, Owings, Parkinson, Rinehart, Seaborg, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding—32.

Absent or not voting: Payne, Preston, Snow.

Senate concurrent resolution No. 15, passed by the House, relative to files of printed bills, was passed unanimously and ordered to be enrolled.

Senate memorial No. 2, relative to granted lands, was read third time, and passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Jones, Kinnear, Kneeland, Landes, Long, Luce, Owings, Parkinson, Payne, Rinehart, Seaborg, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Whalley, Wilson, Wolfe, Wood, Wooding—31.

Nays: Lawrence, Watt—2.

Absent or not voting: Preston, Snow.

Senate memorial No. 3, praying congress to pass a special act authorizing the survey of the coal claim of William Packwood, in Washington, and purchase of same by him, which was reported from the Committee on Memorials and recommended to be indefinitely postponed, was taken up.

On the question, shall the report of the committee be adopted, the vote was yeas 15, nays 16.

Lost.

The memorial was passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Fariss, Houghton, Hunsaker, Hyde, Jones, Kneeland, Landes, Lawrence, Long, Owings, Parkinson, Payne, Thompson (L. F.), Wilson, Wolfe, Wooding—21.

Nays: Forsyth, Guilfoil, Kinnear, Rinehart, Seaborg, Thompson (G. T.), Van Houten, Vestal, Watt, Whalley, Wood—11.

Absent or not voting: Luce, Preston, Snow.

Senate bill No. 8, Relative to organizing, maintaining or employing an armed body of men in this state.

On the question, shall the Senate concur in the following amendment of the House to section 1, "*Provided*, That nothing in this act shall be so construed as to interfere with any sheriff or other legalized authority," the vote resulted as follows:

Yeas: Austin, Baker, Drum, Fariss, Forsyth, Long, Parkinson, Wilson, Wooding—9.

Nays: Clough, Fairweather, Guilfoil, Humsaker, Hyde, Jones, Kinnear, Kneeland, Landes, Lawrence, Luce, Owings, Payne, Rinehart, Seaborg, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wolfe, Wood—23.

Absent or not voting: Houghton, Preston, Snow.

So the amendment was not concurred in.

House bill No. 43 was reported with amendments to sections 1 and 2.

On the question, shall the Senate adopt the amendments to section 1, it was decided in the affirmative by a divisional vote—16 in the affirmative and 13 in the negative.

Senator Kinnear moved to re-commit the bill to the Committee on Education, and have 100 copies printed.

Lost; 12 in the affirmative, 19 in the negative.

Senator Kinnear moved to make the bill a special order for Monday at 2 o'clock.

Lost; 9 in the affirmative, 23 in the negative.

Senator Kinnear moved to adjourn.

Lost; 9 in the affirmative, 23 in the negative.

The amendment to section 2 was then adopted.

Vote of 19 in the affirmative, 10 in the negative.

Senator Lawrence moved to adjourn.

Lost; 12 in the affirmative, 18 in the negative.

The question recurring on the passage of the bill as amended, it failed by the following vote:

Yeas: Baker, Clough, Drum, Kinnear, Lawrence, Parkinson, Rinehart, Wooding—8.

Nays: Fairweather, Forsyth, Guilfoil, Houghton, Humsaker, Hyde, Jones, Kneeland, Long, Luce, Owings, Payne, Seaborg, Thompson (G. T.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wood—21.

Absent or not voting: Austin, Fariss, Landes, Preston, Snow, Thompson (L. F.).

Senators Clough and Kinnear were excused from attendance tomorrow.

The president announced the following committee on the part of the Senate, to attend the funeral of prominent citizens of Seattle, on Sunday, December 15th, as per invitation of the mayor of that city:

Senators Kinnear, Landes, Thompson (L. F.), Whalley, Wilson.

On motion of Senator Houghton, the Senate adjourned at 4:45 P. M.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, December 14, 1889.
10 o'clock A. M.

Senate called to order pursuant to adjournment; president in the chair.

Roll call, all present except Senator Snow, absent on indefinite leave, and Senators Clough, Kinnear, Preston, Guilfoil and Fairweather, excused.

Journal of yesterday read and approved.

By Senator Van Houten: Senate memorial No. 12, Praying congress for an appropriation to survey certain lands, etc.

Rules suspended, read first and second time by title, and referred to the Committee on Memorials.

RECONSIDERATION.

Senator Owings moved to reconsider House concurrent resolution No. 13, amended yesterday, relative to holiday adjournment.

Adopted.

Senator Long then, by unanimous consent, withdrew his amendment.

On the question, shall the Senate concur in House concurrent resolution, the vote was a follows:

Yeas: Austin, Drum, Kneeland, Landes, Luce, Owings, Parkinson, Seaborg, Thompson (L. F.), Van Houten, Vestal, Whalley, Wilson, Wolfe, Wood, Wooding—16.

Nays: Baker, Fariss, Forsyth, Houghton, Hunsaker, Hyde, Jones, Lawrence, Long, Payne, Rinehart, Watt—12.

Absent or not voting: Clough, Fairweather, Guilfoil, Kinnear, Preston, Snow, Thompson (G. T.).

So the resolution was concurred in.

REPORTS OF COMMITTEES.

The Judiciary Committee, through its chairman, reported Senate bill No. 43, with amendment to strike out all of section 2, and recommend the passage of the bill as amended.

The committee on memorials, through its chairman, Senator Forsyth, recommended that Senate memorials Nos. 9 and 10 be passed, and that Senate concurrent resolution No. 16 and House joint resolution No. 10 be passed.

Senate bill No. 9 was reported by the enrolling committee properly enrolled, and the president announced that he had affixed his signature to the bill and directed the secretary to transmit it to the House for the signature of the speaker.

PRESENTATION OF BILLS.

By Senator Rinehart: Senate bill No. 59, "An act to abolish the office of lieutenant-governor."

Read first time, rules suspended, read second time by title, and referred to Committee on Privileges and Elections.

By Senator Long (by request): Senate bill No. 60, "An act to confirm the titles of purchasers from the Territory, of Washington university lands."

Rules suspended, read first and second time and referred to the Committee on State, School and Granted Lands.

By Senator Wolfe: Senate bill No. 61, "An act to regulate the practice of medicine and surgery."

Rules suspended, read first and second time by title and referred to the Committee on Medicine, Hygiene, Surgery and Dentistry.

By Senator Wolfe: Senate bill No. 62, "An act establishing a State Board of Health and a Bureau of Vital Statistics in connection therewith."

Rules suspended, read first and second time by title, and referred to the Committee on Medicine, Hygiene, Surgery and Dentistry.

On motion of Senator Whalley, Senate bill No. 42, relative to notaries public (substitute for Senate bills 1, 6, 13, 20 and 21), was taken from the table.

The Senate, after amending section 8, went into committee of the whole, Senator Owings in the chair.

The committee rose and reported progress.

Senator Wood was excused from attendance on Monday.

On motion of Senator Kneeland the Senate at 12:20 adjourned until 1:30 P. M. on Monday, 16th December.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, December 16, 1889.
1:30 o'clock P. M.

Senate called to order pursuant to adjournment; the President in the chair.

Roll called, all present excepting Senator Snow, absent on leave, and Senators Landes, Thompson (L. F.), Guilfoil and Wood, excused.

Journal of Saturday read and approved.

Senator Austin offered the following:

Resolved, That the standing commttee on Public Buildings and Grounds be instructed and authorized to have proper register ventilators placed in the Senate Chamber and State Library, for purposes of ventilation.

Adopted.

Senator Wilson offered Senate concurrent resolution No. 19:

Resolved by the Senate, the House concurring, That the Senate Committee on Salaries and Mileage be required to meet with a similar committee in the House and report a bill to regulate and designate the amount of salary to be paid the several county officers, as per constitutional requirement.

Adopted.

Senator Long offered Senate concurrent resolution No. 20:

Resolved, the House concurring, That the Committee on State Insane, of the Senate and House of Representatives, be directed to visit the asylum at Steilacoom and report its condition and management; also, to visit the asylum in course of erection at Medical Lake, and report its condition, the workmanship thereon, material used, the expenditure of appropriations therefor, probable time and cost of completion, with such other matters as may be of interest. That the said reports be made not later than January 20, 1890.

Adopted.

Senate memorial No. 13, offered by Senator Lawrence, from the Washington Farmers' Alliance, relative to various subjects, was read first and second times by title and referred to the Committee on Memorials.

The president announced that he had delivered the oath of office to C. B. Fox, committee clerk, on the 13th; J. A. Clarendon, assistant janitor, on the 16th; Fred Puhler, committee clerk, on the 14th; Miss Madge Howell, committee clerk, on the 16th.

On motion of Senator Owings, the president was authorized and directed to make some arrangement with the governor of the state by which the Senate may be apprised of the finality of bills passed by both houses, and which originate in the Senate.

The Committee on Enrolled Bills reported Senate concurrent resolution No. 15, Senate memorial No. 8, Senate memorial No. 4, correctly enrolled.

The president affixed his signature to the said concurrent resolution and two memorials, and announced the fact to the Senate.

SCHOOL FOR DEFECTIVE YOUTH.

The Committee on Claims reported as follows:

MR. PRESIDENT:

Your standing Committee on Claims, to whom was referred the report of the board of building commissioners, Washington School for Defective Youth, would respectfully report that we have carefully considered the same, and find that the board has observed the law under which it was created. They have adopted plans for a building of such dimensions as shall, when fully completed, accommodate one hundred or more pupils. They have, as directed in the act, partially completed the same and have kept within the limit of the appropriation therefor, except that there appears to be due the contractor a small balance of $35.65 which is not reported as a deficiency, and which may not be claimed by the architect or contractor. Your committee believe that the board has discharged its duty honorably and fairly, and that the institution they have established is fairly entitled to our support.

W. V. RINEHART,
S. VESTAL,
J. HUNSAKER.

The report was adopted.

Senator Guilfoil was, on motion, excused from attendance for one week.

The following report was read:

To the President and Senate of the State of Washington:

GENTLEMEN — Your committee on School for Defective Youth beg leave to report that they have examined House bill No. 8, appropriating $12,000

dollars for the support of said school for the ensuing year, and recommend its passage.

L. B. CLOUGH,
C. E. FORSYTH,
C. T. WOODING.

Adopted.

INTRODUCTION OF BILLS.

By Senator Preston: Senate bill No. 63, Relative to the sale of school lands by the Territory of Washington.

Read first time, rules suspended, read second time, and referred to the Committee on State, School and Granted Lands.

By Senator Fariss: Senate bill No. 64, Relating to fire escapes.

Rules suspended, read first and second time by title, and referred to the Committee on Public Buildings and Grounds.

On motion of Senator Kinnear, the Senate went into committee of the whole on Senate bill No. 42, Senator Kinnear in the chair.

The committee arose and reported various amendments to the Senate, which were concurred in. The bill was then read a third time and ordered to be engrossed.

Following were the amendments adopted in the original bill:

In fifth line, section 1, strike out "legal voters" and insert "freeholders."

In sixth line, section 1, strike out "city, town, village or precinct" and insert "county."

In seventh line, section 3, strike out "five" and insert "ten."

In eighth line, section 3, before the word "taking," insert "for special state library fund."

In last line of section 5 add "and affix his official seal."

In line 4 add after "dollar" the words "and 20 cents for each notice."

In line 10, section 8, after "cents," add the words "for the first name, and 20 cents for each additional name."

In line 20, section 8, after "writing," the words "or depositions or affidavits written exclusive of the certificate thereto."

At the end of last line, section 11, add "the first day of April, A. D. 1890: *Provided*, That there shall be deducted from the fee of $10, herein provided for, such proportion of said fee as the unexpired time in the territorial appointment bears to the whole term for which the original commission was issued."

On the question to strike out "five dollars" and insert "ten" for notary's fees, in section 3, Senators Long, Baker, Thompson (G. T.),

Kneeland, Whalley and Jones called for the yeas and nays. The amendment was adopted by the following vote:

Yeas: Austin, Baker, Drum, Fairweather, Fariss, Houghton, Hyde, Kneeland, Lawrence, Luce, Parkinson, Payne, Preston, Seaborg, Van Houten, Watt, Wilson — 17.

Nays: Clough, Forsyth, Humsaker, Jones, Kinnear, Long, Owings, Rinehart, Thompson (G. T.), Vestal, Whalley, Wolfe, Wooding — 13.

Absent or not voting: Guilfoil, Landes, Snow, Thompson (L. F.), Wood.

The clerk of the House appeared and announced that the speaker had signed House memorials Nos. 5, 6, 7 and 8, and House bills Nos. 30 and 52, all of which had passed both houses, and had been correctly enrolled, and were transmitted to the Senate for the president's signature.

RELATIVE TO PETIT JURORS.

On motion of Senator Kinnear, Senate bill No. 48, Relative to petit jurors for the superior courts of the state, was read, and passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Houghton, Humsaker, Hyde, Jones, Kinnear, Kneeland, Luce, Parkinson, Payne, Preston, Rinehart, Seaborg, Van Houten, Vestal, Watt, Wilson, Wooding — 24.

Nays: Owings, Thompson (G. T.) — 2.

Absent or not voting: Guilfoil, Landes, Lawrence, Long, Snow, Thompson (L. F.), Whalley, Wolfe, Wood.

The vote on the emergency clause, section 6, was as follows:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Houghton, Humsaker, Hyde, Jones, Kinnear, Kneeland, Luce, Parkinson, Preston, Rinehart, Seaborg, Thompson (G. T.), Vestal, Watt, Whalley, Wooding — 23.

Nays: Owings, Van Houten — 2.

Absent or not voting: Guilfoil, Landes, Lawrence, Long, Payne, Snow, Thompson (L. F.), Wilson, Wolfe, Wood.

The motion was lost, there not being the necessary two-thirds vote.

On motion of Senator G. T. Thompson, the vote on the emergency clause was reconsidered.

The vote was again taken, resulting as follows:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Fariss, For-

syth, Houghton, Hunsaker, Hyde, Jones, Kinnear, Kneeland, Long, Luce, Parkinson, Payne, Preston, Rinehart, Seaborg, Thompson (G. T.), Vestal, Watt, Whalley, Wilson, Wolfe, Wooding — 27.

Absent or not voting: Guilfoil, Landes, Lawrence, Owings, Snow, Thompson (L. F.), Van Houten, Wood.

So the emergency clause was passed.

Senate bill No. 17, relative to the appointment of official short hand reporters for superior courts, etc., was taken up, amended, read a third time, and ordered to be engrossed.

The amendments made to the bill were as follows:

Strike out in the title all after the word "compensation."

In section 2, after the word "exercise," add the words "the duties of."

In section 4, strike out the word "printed."

In section 5, insert the words "seven dollars and fifty cents" instead of "ten dollars," and the word "ten" before "cents" instead of "twenty."

Strike out all of section 8.

The president notified the Senate that he had signed House bill No. 30, House bill No. 52, House memorial No. 5, House memorial No. 7, House memorial No. 6.

On motion of Senator Wilson, the Senate, at 4:20 P. M., adjourned.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, December 17, 1889.
10 o'clock A. M.

Senate called to order, pursuant to adjournment; the president in the chair.

Roll called; all present except Senator Snow, absent on leave, and Senators Guilfoil, Landes and Wood, excused.

Journal of yesterday read and approved.

Senator Whalley offered concurrent resolution No. 21, Relative to the Committees of State Prison, of the Senate and House, visiting the Walla Walla penitentiary.

Adopted.

The Judiciary Committee reported on Senate bill No. 49, as follows:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 49, entitled "An act to provide for the determination of conflicting claims to property, money or indebtedness," have had the same under consideration, and now respectfully report the bill back, with the recommendation that the bill pass.

Also, the following on Senate bill No. 16:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 16, entitled "An act in relation to the organization, power and duties of the superior courts," have had the same under consideration, and now respectfully report it back to the Senate, with the following amendment, and, as amended, recommend the passage of the bill:

Amend section 7 so as to read as follows:

"SEC. 7. The superior courts are courts of record, and shall be always open, except on non-judicial days. They shall hold their sessions at the county seats of the several counties respectively. They shall hold regular and special sessions in the several counties of this state at such times as may be prescribed by the judge or judges thereof."

Respectfully submitted,

J. R. KINNEAR, Chairman.

Report concurred in by Senators Payne, Whalley and Houghton, the other members of the committee being absent.

FIRST READING OF BILLS.

House bill No. 46, relative to the maintenance of dykes and dams, received in the Senate on 13th, was read first time, rules suspended, read second time by title and referred to the Committee on Agriculture.

House bill No. 58, substitute for House bill No. 7, appropriating $2,100 for furnishing stationery and supplies to the members of the legislature of the State of Washington.

Read first time, rules suspended, read second time by title and referred to the committee of the whole.

House bill No. 62, An act to provide and furnish a temporary court room for the supreme court.

Rules suspended, read first and second time by title and referred to the Judiciary Committee.

By Senator Kinnear: Senate bill No. 65, "An act relating to suits against the state."

Read first time, rules suspended, read second time by title and referred to the Judiciary Committee.

By Senator Preston: Senate bill No. 66, An act appropriating funds for the state penitentiary.

Read first and second time by title, and referred to the committee of the whole, Senator Drum in the chair.

The committee arose, reported the bill to the Senate.

Referred to the Committee on Claims with instructions to report the same to-morrow.

CRIERS IN COURT.

Senate bill No. 55, An act in relation to the appointment and pay of criers of the superior courts, was read third time, placed on its final passage. Lost by the following vote:

Yeas: Austin, Drum, Houghton, Hunsaker, Jones, Kinnear, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Thompson (G. T.), Vestal, Watt, Wooding — 16.

Nays: Clough, Fairweather, Fariss, Forsyth, Hyde, Kneeland, Lawrence, Long, Wilson, Wolfe — 10.

Absent or not voting: Baker, Guilfoil, Landes, Luce, Snow, Thompson (L. F.), Van Houten, Whalley, Wood.

THE SCHOOL FOR DEFECTIVE YOUTH.

On motion of Senator Lawrence, House bill No. 1, laid on the table December 4th, was taken from the table and referred to Committee on Claims with instructions to report the same to-morrow.

Senator Clough moved that House bill No. 8, appropriating money for the support of the School for Defective Youth at Vancouver, be put on its passage.

Adopted.

The Senate went into a committee of the whole on the bill.

Senator Long in the chair.

The committee arose, reported the bill to the Senate.

It was read a third time, and passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Houghton, Hunsaker, Hyde, Jones, Kinnear, Lawrence, Long, Luce, Parkinson, Preston, Rinehart, Seaborg, Van Houten, Vestal, Whalley, Wolfe, Wooding — 24.

Absent or not voting: Guilfoil, Kneeland, Landes, Owings, Payne, Snow, Thompson (G. T.), Thompson (L. F.), Watt, Wilson, Wood.

President Laughton announced that he would be absent to-morrow, and called President pro tem. Parkinson to the chair.

TO ABOLISH THE LIEUTENANT-GOVERNOR'S OFFICE.

The Committee on Elections and Privileges, offered the following report:

We, the majority of your Committee on Elections and Privileges, to whom was referred Senate bill No. 59, "An act to abolish the office of lieutenant-governor," having carefully considered the same, report it back with the recommendation that it be indefinitely postponed.

C. G. AUSTIN,
H. W. FAIRWEATHER.

I hereby dissent from the majority report of the committee and recommend the following amendment: After the word "state," in section 3, insert "this act shall take effect and be in force after December 31, 1892."

ALEX WATT, Chairman.

Senator Houghton moved that the majority report of the committee be adopted, and called for the previous question, which was seconded by three senators — Houghton, Baker and Fariss.

The yeas and nays were called for by Senators Baker, Fariss, Houghton, Kneeland, Luce, Owings, and on the question "Shall the main question be now put?" the vote resulted as follows:

Yeas: Austin, Baker, Clough, Fairweather, Fariss, Houghton, Jones, Kinnear, Kneeland, Lawrence, Luce, Owings, Parkinson, Payne, Preston, Seaborg, Thompson (L. F.), Van Houten, Vestal, Whalley, Wolfe, Wooding — 22.

Nays: Drum, Forsyth, Hunsaker, Long, Rinehart, Watt, Wilson — 7.

Absent or not voting: Guilfoil, Hyde, Landes, Snow, Thompson (G. T.), Wood.

So the main question was ordered.

The majority report of the committee was then adopted, by the following vote:

Yeas: Austin, Baker, Clough, Fairweather, Fariss, Houghton, Hyde, Jones, Kinnear, Kneeland, Lawrence, Long, Luce, Owings, Parkinson, Payne, Preston, Seaborg, Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wooding — 26.

Nays: Drum, Forsyth, Hunsaker, Rinehart — 4.

Absent or not voting: Guilfoil, Landes, Snow, Thompson (G. T.), Wood.

And Senate bill No. 59 was indefinitely postponed.

Senator Fairweather asked for leave of absence until 1 o'clock P. M. on Thursday.

Senate bill No. 34 was reported from the Judiciary Committee, with an amendment to strike out all of section 2.

The amendment was agreed to, the bill read third time, and failed of passage by the following vote:

Yeas: Austin, Baker, Houghton, Jones, Luce, Payne, Rinehart, Thompson (L. F.), Vestal, Watt, Whalley, Wolfe, Wooding—13.

Nays: Clough, Drum, Fariss, Forsyth, Hunsaker, Hyde, Kinnear, Kneeland, Lawrence, Long, Owings, Parkinson, Preston, Seaborg, Van Houten—15.

Absent or not voting: Fairweather, Guilfoil, Landes, Snow, Thompson (G. T.), Wilson, Wood.

On motion of Senator Kinnear, the vote by which the bill was defeated was unanimously re-considered, and the bill laid on the table subject to call.

Senate memorial No. 9, Relative to the removal of a sand bar in the Columbia river, opposite Vancouver, was read a third time, and passed by the following vote:

Yeas: Clough, Drum, Fariss, Forsyth, Houghton, Hunsaker, Jones, Lawrence, Long, Luce, Parkinson, Preston, Rinehart, Seaborg, Van Houten, Vestal, Whalley, Wolfe, Wooding—19.

Nays: Baker.

Absent or not voting: Austin, Fairweather, Guilfoil, Hyde, Kinnear, Kneeland, Landes, Owings, Payne, Snow, Thompson (G. T.), Thompson (L. F.), Watt, Wilson, Wood.

Senators Luce, Lawrence, Austin, Baker and Kinnear were excused until Thursday, and Senator Kneeland until Friday.

On motion of Senator Kinnear, the Senate adjourned, at 12 o'clock M., until 10:30 A. M., to-morrow.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, December 18, 1889.
10:30 o'clock A. M.

Senate called to order, pursuant to adjournment; Senator Parkinson, president pro tem., in the chair.

Roll called; all present except Senators Austin, Baker, Fairweather, Guilfoil, Kinnear, Kneeland, Landes, Luce, Thompson (G. T.) and Wood, excused.

Journal of yesterday read and approved.

The oath of office was administered by the secretary of the Senate to Senator J. M. Snow.

By Senator L. F. Thompson: Senate concurrent resolution No. 22, Relative to increasing the committees of both houses, appointed by Senate.

Also, Concurrent resolution No. 14, To inquire into the affairs of the Territorial University at Seattle, was read.

On motion of Senator Lawrence, the resolution was adopted.

MESSAGES FROM THE HOUSE.

The clerk of the House appeared, and announced that the House adhered to its amendment to Senate bill No. 8, and appointed the following committee of conference: Judson, of Pierce; Nims and Geoghegan.

The House had also passed House bill No. 34, To compel employers to find seats for females.

Passed, House bill No. 10, Regulating exchange of flour for wheat by grist mills.

Passed, House joint resolution No. 14, Relative to changing joint rule No. 8.

Concurred in Senate concurrent resolution No. 19.

Also, Senate concurrent resolution No. 18.

Passed, Senate memorial No. 2.

Passed, Senate memorial No. 3.

Passed, Senate memorial No. 11.

Passed, Senate bill No. 3.

Passed, Senate bill No. 22.

Amended, Senate concurrent resolution No. 21, Relative to visiting the Walla Walla penitentiary, and ask concurrence of the Senate thereon.

Passed, House memorial No. 9, In relation to Puyallup Indian reservation.

House joint resolution No. 12, In relation to the safe keeping of the work of the code commission.

Passed, House memorial No. 10, In relation to placing Major-General R. H. Milroy on the retired list of the United States Army.

REPORTS OF STANDING COMMITTEES.

Senate bill No. 45 was reported upon, as follows:

SENATE CHAMBER,
OLYMPIA, November 19, 1889.

To the President of the Senate:

Your standing Committee on Printing, to whom was referred Senate bill No. 45, Relating to the office of state printer, beg leave to report that we have examined and carefully considered said bill, and herewith return it to the Senate, with an amendment to the title thereof, and recommend its passage as amended. Respectfully submitted,

E. T. WILSON, Chairman,
E. B. HYDE,
H. H. WOLFE.

Amend the title by adding after the word "duties" in the third line the words "and declaring that an emergency exists."

The Committee on Memorials on Senate memorial No. 13, reported as follows:

To the President of the Senate of the State of Washington:

Your Committee on Memorials, to whom was referred Senate memorial No. 13, from the Washington Farmer's Alliance, beg leave to report that they have given the same that careful and thoughtful attention which the great importance of the subjects therein contained demands of the representatives of the people, assembled to make just and equitable laws for the state.

We return the memorial to the Senate with the following recommendations:

1. That so much of the memorial as refers to freight and passenger rates charged by railroads be referred to the Committee on Agriculture, with the request that they prepare and submit to the Senate a bill regulating and limiting the rates which may be charged by railroads, steamboats and other common carriers, for the transportation of freight and passengers in this state.

2. That so much of said memorial as relates to the establishment of a plant for the manufacture of grain sacks by the prisoners confined in the state prison at Walla Walla, be referred to the Committee on Manufactures, with a request that they prepare and report to the Senate a bill in accordance with the memorial, and that the same committee be requested to consider the advisability of preparing an act to protect farmers in their rights, who may store their grain in the elevators situated on the lines of railroads in this state.

3. That so much of the memorial as refers to the disposition of school lands be referred to the Committee on State, Granted and School Lands for their consideration.

4. As to the enactment of a law similar to the Australian ballot system, asked for in the memorial, we have no recommendation to make.

Respectfully,
C. E. FORSYTH,
B. A. SEABORG,
W. V. RINEHART.
Committee on Memorials.

The Committee on Memorials reported on Senate Memorial No. 12, as follows:

MR. PRESIDENT:

Your Committee on Memorials, to whom was referred Senate memorial No. 12, asking congress for an appropriation to survey certain lands, have had the same under consideration, and herewith return the same with the recommendation that it do pass.

C. E. FORSYTH,
B. A. SEABORG,
W. V. RINEHART.

The Committee on Engrossed Bills reported as follows:

MR. PRESIDENT:

Your Standing Committee on Engrossed Bills beg leave to report that Senate bill No. 17, entitled "An act authorizing the appointment of official short hand reporters for the superior courts of this state, and prescribing their duties, qualifications and compensation;" also, Senate bill No. 42, substitute for Senate bills Nos. 1, 6, 13, 20 and 21, entitled "An act to provide for the appointment, qualification and duties of notaries public, certifying their official acts, and declaring an emergency to exist," have been carefully compared with the original copies and found correctly engrossed.

Very respectfully,
THOS. PAYNE, Chairman,
J. C. LAWRENCE.

INTRODUCTION OF BILLS.

By Senator Wilson: Senate bill No. 67, Relative to the selling of bonds by corporations and railroads for irrigation and other purposes.

Rules suspended, read first and second time by title, and referred to Committee on Corporations other than Municipal.

Senator Van Houten was appointed the additional member of the committee on behalf of the Senate by the passage of Senate concurrent resolution No. 22, "to inquire into the title of university lands at Seattle."

By Senator Jones (by request): Senate bill No. 68, Relating to the purchase and reservation by the United States of lands within this state for public purposes.

Rules suspended, read first and second time by title, referred to Committee on Federal Relations.

By Senator Vestal (by request): Senate bill No. 69, An act to regulate the practice of medicine, surgery, etc.

Rules suspended, read first and second time by title, and referred to Committee on Medicine, Surgery, etc.

Senate bill No. 22 was referred to Enrolling Committee.

Senate bill No. 3, the same.

Senate memorial No. 11, the same.

Senate memorial No. 3, the same.

Senate memorial No. 2, the same.

Senate concurrent resolution No. 19, the same.

Senate concurrent resolution No. 18, the same.

House joint resolution No. 14 was, on motion of Senator Drum, referred to the Committee on Rules.

House bill No. 10 was, on motion of Senator Houghton, referred to Committee on Judiciary.

House bill No. 34 was, on motion of Senator Drum, referred to Committee on Medicine, Surgery, etc.

House memorial No. 9, In relation to Puyallup Indian reservation, and a railway through the same, was read first time.

On motion of Senator Drum, rules were suspended, read second time by title, and referred to Committee on Internal Improvements.

House joint resolution No. 12, Relative to the manuscript of the code commissioners being placed in the hands of the secretary of state subject to the order of the legislature, was read.

The joint resolution was concurred in unanimously.

House memorial No. 10, The Legislature of the State of Washington requests that the Congress of the United States will place Major General Milroy on the retired list of the U. S. Army, was read.

On motion of Senator Long, the rules were suspended, read a first and second time by title.

On motion of Senator Payne, rules again suspended, and passed by the following vote:

Yeas: Clough, Fariss, Forsyth, Houghton, Hunsaker, Hyde, Jones, Lawrence, Long, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wooding—24.

Absent or not voting: Austin, Baker, Drum, Fairweather, Guilfoil, Kinnear, Kneeland, Landes, Luce, Thompson (G. T.), Wood.

Senate concurrent resolution No. 16 was read second and third time, and passed by the following vote:

Yeas: Clough, Fariss, Forsyth, Houghton, Hunsaker, Hyde, Jones, Lawrence, Long, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wooding — 24.

Absent or not voting: Austin, Baker, Drum, Fairweather, Guilfoil, Kinnear, Kneeland, Landes, Luce, Thompson (G. T.), Wood.

House joint resolution No. 10, Relative to the Yakima Indian reservation, was read third time, and passed by the following vote:

Yeas: Clough, Fariss, Forsyth, Houghton, Hunsaker, Hyde, Jones, Lawrence, Long, Parkinson, Preston, Rinehart, Seaborg, Snow, Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wooding — 22.

Absent or not voting: Austin, Baker, Drum, Fairweather, Guilfoil, Kinnear, Kneeland, Landes, Luce, Owings, Payne, Thompson (G. T.), Wood.

Senate bill No. 45, Relative to creating the office of state printer, was, on motion of Senator Houghton, made a special order for January 9th, at 2 o'clock P. M.

On motion of Senator Houghton, the report of the Committee on Engrossed Bills, with reference to Senate memorial No. 13, was adopted, and the president directed to refer the subjects to the respective committees as suggested by the committee.

On motion of Senator Long, the matter in Senate memorial No. 13, relative to fixing rates of fare, was referred to Committee on Corporations instead of the Committee on Agriculture, with request that they prepare and submit a bill.

On motion of Senator Houghton, the last clause of the committee's report on Senate memorial No. 13, relative to the Australian ballot system, was referred to the Committee on Elections and Privileges, with instructions to report by bill or otherwise.

Senate memorial No. 12, Asking congress for an appropriation to survey certain lands, was read third time, and passed by the following vote:

Yeas: Clough, Fariss, Forsyth, Houghton, Hunsaker, Hyde, Jones, Lawrence, Long, Owings, Parkinson, Payne, Preston, Rine-

hart, Seaborg, Snow, Thompson (L. F.), Van Houten, Vestal, Watt, Wilson, Wolfe, Wooding—23.

Absent or not voting: Austin, Baker, Drum, Fairweather, Guil foil, Kinnear, Kneeland, Landes, Luce, Thompson (G. T.), Whalley, Wood.

Senate bill No. 42, relative to notaries public, reported from the Engrossing Committee, was read third time, and passed by the following vote:

Yeas: Clough, Drum, Fariss, Forsyth, Houghton, Hunsaker, Hyde, Jones, Lawrence, Long, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wooding—25.

Absent or not voting: Austin, Baker, Fairweather, Guilfoil, Kinnear, Kneeland, Landes, Luce, Thompson (G. T.), Wood.

The emergency clause was passed by the following vote:

Yeas: Clough, Drum, Fariss, Forsyth, Houghton, Hunsaker, Hyde, Jones, Lawrence, Long, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wooding—25.

Absent or not voting: Austin, Baker, Fairweather, Guilfoil, Kinnear, Kneeland, Landes, Luce, Thompson (G. T.), Wood.

Senator Whalley asked to be excused to-morrow for the purpose of visiting the Puyallup Indian reservation, as one of the Committee on Internal Improvements.

Senator Seaborg asked and was excused until Friday at noon.

Senate bill No. 17, Relative to shorthand reporters for superior courts, was, on motion of Senator Drum, made a special order for to-morrow at 2 o'clock P. M.

On motion of Senator Payne, the Senate, at 1 P. M., adjourned until to-morrow at 10:30 A. M.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, December 19, 1889.
10:30 o'clock A. M.

Senate called to order pursuant to adjournment; Senator Parkinson, president pro tem., in the chair.

Roll call, all present except Senators Austin, Baker, Fairweather, Guilfoil, Kinnear, Kneeland, Landes, Luce, Seaborg, Thompson (G. T.) and Whalley, excused.

Journal of yesterday read and approved.

Senator Rinehart offered the following:

Resolved, That the secretary of the Senate be empowered to issue a certificate to Senator J. M. Snow on the state auditor for mileage due him, on a statement from the Committee on Salaries and Mileage.

Adopted.

The following was also adopted:

OLYMPIA, WASHINGTON, December 19, 1889.

To the President of the Senate:

We, your special Committee on Mileage, would beg leave to report that the mileage of Senator Snow was not given in former report. That the amount of mileage to which Senator Snow is entitled is 526 miles. There being now a regular Committee on Salary and Mileage, we would respectfully ask to be discharged.

J. C. LAWRENCE, Chairman.
THOS. PAYNE,
J. H. JONES.

The Committee on Claims reported as follows:

MR. PRESIDENT:

Your standing Committee on Claims, to whom was referred House bill No. 1, appropriating funds to meet a deficiency for supplies furnished to the Hospital for the Insane at Steilacoom, have had the same under consideration, and respectfully report as follows:

The report of this institution has not yet been laid before this legislature. We regard it as a bad precedent to make any appropriations to meet deficiencies in advance of the reports required by law, showing in full what disposition has been made of former appropriations and the cause of such deficiencies.

Section 2269, code of 1881, says: "No officer or employe shall have authority to purchase at the expense of the territory any article for the hospital, except in case of extreme necessity, and when the superintendent shall consider such article absolutely necessary."

We regard this as a wholesome provision of law, and that a rigid compliance therewith should be enforced by the legislature.

Not only should all persons charged with the disbursement of public funds appropriated by us be held to strict accountability therefor, but any liability incurred in excess of the amount appropriated should be verified and vouchers therefor should accompany the bills intended to cover such deficiency.

We find that the act of February 2, 1888, appropriating $75,000, covers the period from September 30, 1887, to September 30, 1889, and that the three months from October 1, 1889, to January 1, 1890, were unprovided for. For this period $9,375 would be the same as allowed under the former act, and the actual deficiency beyond this amount would be $9,579.28, as per statement accompanying the bill. Believing, as we do, that the delay in getting the report of this institution before us is not the fault of those in charge at the hospital, and that good faith to those who have supplied their needs on the credit of the state demands prompt payment therefor.

Your committee would respectfully report this bill back, with the recommendation that it do pass.

W. V. RINEHART,
S. VESTAL.

The Committee on Claims reported as follows:

MR. PRESIDENT:

Your standing Committee on Claims, to whom was referred Senate bill No. 66, appropriating funds for the Penitentiary at Walla Walla, have considered the same, and find that it does not cover the amount of the actual deficiency now existing. We would, therefore, recommend that the bill be re-committed for further consideration.

W. V. RINEHART,
S. VESTAL.

On motion of Senator Houghton, the Senate went into committee of the whole on House bill No. 1, Senator Owings in the chair.

The committee arose and reported the bill to the Senate without amendments.

On motion of Senator Rinehart, the bill was placed on third reading, and final passage.

Passed by the following vote:

Yeas: Clough, Drum, Fariss, Forsyth, Houghton, Hyde, Jones, Lawrence, Long, Owings, Parkinson, Payne, Preston, Rinehart, Snow, Thompson (L. F.), Van Houten, Vestal, Watt, Wilson, Wolfe, Wood, Wooding—23.

Absent or not voting: Austin, Baker, Fairweather, Guilfoil, Hunsaker, Kinnear, Kneeland, Landes, Luce, Seaborg, Thompson (G. T.), Whalley.

Senate bill No. 66 was then taken up and re-committed to the

Committee on Claims, in accordance with the report of that committee.

The Committee on Agriculture reported as follows:

OLYMPIA, December 19th, 1889.

MR. PRESIDENT:

Your Committee on Agriculture, to whom was referred House bill No. 3, entitled "An act for the prevention of deception in sales of dairy products," have had the same under consideration, and respectfully report the same back to the Senate with the recommendation that it pass.

Respectfully submitted,

L. F. THOMPSON, Chairman,
A. T. FARISS,
J. H. LONG.

On motion of Senator Drum, the bill was made a special order for January 10, at 2 o'clock, and fifty copies ordered to be printed.

Senate concurrent resolution No. 21, amended in House and passed as amended, was taken up, and the amendments of the House were, on motion of Senator Houghton, non-concurred in.

The amendments were as follows:

Resolved by the Senate, the House concurring, That a committee of five, three from the House, to be appointed by the chair, and two from the Senate, to be appointed by the president, be and the same is hereby appointed and instructed to visit the penitentiary at Walla Walla, to investigate its management and report upon the best means of carrying out the provisions of section 29 of article 2 of the constitution, and to report not later than January 20, 1890, and that said committee be empowered to send for persons and papers and to administer oaths should they deem it necessary.

INTRODUCTION OF BILLS.

By Senator Hyde: Senate bill No. 70, Providing for the exemption of firemen from jury duty, capitation tax and declaring that an emergency exists.

On motion of Senator Hyde, the rules were suspended, read first and second time by title, and referred to the Judiciary Committee.

The Committee on Enrolled Bills made the following report:

MR. PRESIDENT:

Your standing Committee on Enrolled Bills beg leave to report that Senate memorial No. 3, praying congress to pass a special act authorizing the survey of the coal claim of Wm. Packwood, in Washington, and purchasing of same by him, and Senate concurrent resolution No. 19, relative to salaries for county officers, and Senate memorial No. 11, praying for an appropriation for clearing Palouse river, and Senate bill No. 22, entitled "An act to provide for paying the unpaid expenses of the con-

stitutional convention;" also, Senate concurrent resolution No. 18, relative to code commissioners, have carefully compared the same with engrossed copies thereof, and found correctly enrolled.

Very respectfully,

J. M. SNOW,
W. V. RINEHART.

Senators Payne and Thompson (L. F.) asked leave of absence until Saturday.

Leave was granted.

On motion of Senator Rinehart, the Senate went into committee of the whole to consider House bill No. 58, Senator Long in the chair.

The committee arose and reported the bill to the Senate without action, and asked leave to sit again.

Granted.

The clerk of the House appeared with the message that the House had passed Senate memorial No. 9; amended Senate concurrent resolution No. 20 by striking out Medical Lake; passed Senate bill No. 48, and passed emergency clause thereon; concurred in Senate concurrent resolution No. 22; refused to concur in Senate concurrent resolution No. 17; passed House bill No. 22, authorizing the appointment of official short hand reporters for the superior courts, but refused to declare an emergency; notifying the Senate that the speaker had signed House bill No. 8, and asking for the signature of the president thereon.

At 11:55, on motion of Senator Preston, the Senate took a recess until 1:45 P. M.

AFTER RECESS.

Senate called to order at 1:45 P. M., President pro tem. Parkinson in the chair.

Senate memorial No. 9 was ordered to be enrolled.

Senate concurrent resolution No. 20, with a House amendment striking out the words "Medical Lake," was taken up.

On motion of Senator Owings, the House amendment was nonconcurred in.

Senate bill No. 48 was ordered to be sent to the Enrolling Committee.

Senate concurrent resolution No. 22 was placed on file.

Senate bill No. 17, Relative to short hand reporters for superior courts, was, on motion of Senator Drum, made a special order for January 7th, at 2 P. M.

House bill No. 22 also took the same course.

Senate concurrent resolution No. 17, Relative to procuring blank reports for both houses, was, on motion of Senator Owings, indefinitely postponed.

On motion of Senator Drum, the Senate went into committee of the whole on House bill No. 58, Senator Long in the chair.

The committee arose, reported the bill to the Senate without amendments, Senator Parkinson in the chair.

On motion of Senator Rinehart, the bill was indefinitely postponed, by the following vote:

Yeas: Clough, Drum, Fariss, Forsyth, Hunsaker, Jones, Lawrence, Parkinson, Preston, Rinehart, Vestal, Wood, Wooding — 13.

Nays: Houghton, Hyde, Long, Owings, Snow, Thompson (G. T.), Van Houten, Watt, Wilson — 9.

Absent or not voting: Austin, Baker, Fairweather, Guilfoil, Kinnear, Kneeland, Landes, Luce, Payne, Seaborg, Thompson (L. F.), Whalley, Wolfe.

Senator Fariss offered the following resolution:

Resolved, That the committee on State Prison be directed to visit the penitentiary at Walla Walla and make a thorough investigation of its condition and management, and report not later than January 20, 1890; that the Committee on State Insane be directed to visit the asylum at Steilacoom and report its condition and management; also the building in course of erection at Medical Lake, report its condition, the material used in construction, the expenditure of appropriation heretofore made, probable time and cost of completion, with such other matters as may be of interest; said reports to be made not later than January 20, 1890.

Adopted.

Senator Jones asked to be excused from service on the State Prison Committee, in visiting the Walla Walla penitentiary, and asked to have Senator Whalley put in his place.

Granted.

Senator Wolfe asked to be excused from attendance until Saturday.

On motion of Senator Houghton, at 2:20 P. M., the Senate took a recess for 30 minutes.

AFTER RECESS.

The chief clerk of the House appeared and announced that the House had passed Senate bill No. 42, including the emergency clause thereof.

Also amended Senate concurrent resolution No. 16, by striking out all after the word "action," in the sixth line.

Senate bill No. 42 was ordered to be enrolled at once.

On the question, shall the Senate concur in the House amendment to Senate concurrent resolution No. 16, the Senate refused to concur.

On motion of Senator Houghton, the Senate, at 3:20 P. M., adjourned.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, December 20, 1889.
10:30 o'clock A. M.

Senate called to order pursuant to adjournment; president in the chair.

Roll call; all present except Senators Austin, Baker, Forsyth, Guilfoil, Kneeland, Landes, Lawrence, Payne, Seaborg, Thompson (L. F.), Vestal and Whalley, excused.

Journal of yesterday read and approved.

The president announced that he had signed the following:

House bill No. 8, An act appropriating money for the Washington School for Defective Youth.

Senate memorial No. 3, Relative to the coal claim of Wm. Packwood.

Senate bill No. 22, To pay the unpaid expenses of the constitutional convention.

Senate memorial No. 11, Praying for an appropriation for clearing the Palouse river.

The Committee on Rules reported as follows:

MR. PRESIDENT:

Your Committee on Rules respectfully report back the resolution of Senator Drum, with the statement that it is the judgment of the committee that said resolution is, in substance, the same as the rule now in force, and recommend that it be not adopted.

Respectfully submitted,

J. R. KINNEAR,
Chairman.

Report concurred in by Senators Seaborg and Kneeland.

Senate bill No. 16 was taken up, the amendment to section 7 was adopted, the bill read a third time, and referred to the Engrossing Committee.

The president announced that he had signed the following:

Senate concurrent resolution No. 18, Relative to Code Commissioners Doolittle, Isham and Snively.

Senate concurrent resolution No. 19, Relative to designating the amount of salaries to be paid the several county officers.

They were transmitted to the House for the signature of the speaker.

Senate bill No. 49 was, on motion of Senator Kinnear, made a special order for January 7th, at 3 P. M.

The chief clerk of the House appeared and announced that the House had receded from its amenment to Senate concurrent resolution No. 20, and concurred in the same. Also, that the House had refused to recede from its amendments to Senate concurrent resolution No. 21; and also, that the House had receded from its amendment to Senate concurrent resolution No. 16. The latter was sent to the Enrolling Committee.

On motion of Senator Owings, at 10:40 A. M., the Senate took a recess for 30 minutes.

AFTER RECESS.

President in the chair; quorum present.

The Committee on Enrollment made the following report:

MR. PRESIDENT:

Your standing Committee on Enrolled Bills, beg leave to report Senate bill No. 42, entitled "An act to provide for the appointment, qualification and duties of notaries public, certifying their official acts, and declaring an emergency to exist;" substitute for Senate bills Nos. 1, 6, 13, 20 and 21; and Senate bill No. 3, entitled "An act relating to the organization, powers and duties of the supreme court;" and Senate bill No. 48, entitled "An act to provide petit jurors for the superior courts of this state;" and Senate memorial No. 2, Relative to granted lands; also, Senate memorial No. 9, Asking an appropriation of $9,000, to remove a sand bar from the Columbia river, near Vancouver, State of Washington, have carefully compared the same with the engrossed copies thereof, and found correctly enrolled.

Very respectfully,

J. M. SNOW,
W. V. RINEHART,
J. HUNSAKER.

The president announced that he had signed the following:

Senate bill No. 42, Relative to appointment, qualification, duties, etc., of notaries public.

Senate bill No. 3, Relative to the organization, power and duties of the supreme court.

Senate bill No. 48, To provide petit jurors for the superior courts.

Senate memorial No. 2, Relative to public lands for the erection of public buildings.

Senate memorial No. 9, asking for an appropriation to remove a sand bar in the Columbia river.

The Enrolling Committee reported as follows:

MR. PRESIDENT:

Your standing Committee on Enrolled Bills beg leave to report Senate concurrent resolution No. 16, In relation to the presentation of petitions, memorials, etc., to our representatives in congress, has carefully compared the same with engrossed copy thereof, and found correctly enrolled.

Respectfully,

J. M. SNOW,
W. V. RINEHART,
J. HUNSAKER.

The president announced that he had signed the following:

Senate concurrent resolution No. 16, Relative to furnishing to certain state officers complete files of all printed bills.

Senate concurrent resolution No. 21 was, on motion of Senator Long, laid on the table.

The president announced the following conference committee on Senate bill No. 8, the House amendments, which the Senate refused to concur in: Senators Houghton, Wood and Snow.

Senator Drum offered Senate concurrent resolution No. 23, as follows:

Resolved by the Senate, the House concurring, That the Judiciary Committees of the Senate and House, acting jointly, are hereby directed to report to this legislature for its consideration an amendment to the constitution of this state, providing for the reduction of the legislative representation from its present number of 105 to a number not in excess of seventy-five members.

On motion of Senator Drum, it was made a special order for January 6th.

The chief clerk of the House appeared and announced that the speaker had signed the following:

House memorial No. 10, Relative to General R. H. Milroy.

House joint resolution No. 10, Relative to Yakima Indian reservation.

House bill No. 1, Appropriation for the Insane Asylum at Steilacoom.

Senate memorial No. 11, Asking an appropriation for clearing the Palouse river.

Senate bill No. 22, For paying the unpaid expenses of the Constitutional Convention.

Senate concurrent resolution No. 19, Relative to designating the amount of salaries to be paid the several county officers.

Senate concurrent resolution No. 18, Relative to Code Commissioners Doolittle, Isham and Snively.

Senate memorial No. 3, Relative to coal claim of William Packwood.

Senate concurrent resolution No. 16, Relative to the presentation of petitions, memorials and joint resolutions to our representatives in congress.

Senate memorial No. 9, Asking an appropriation to remove a sand bar from the Columbia river.

Senate bill No. 3, Organization, powers and duties of supreme court.

Senate bill No. 48, To provide petit jurors for the superior courts.

Senate bill No. 42, Appointment, qualification and duties of notaries public.

Senate memorial No. 2, Relative to public lands for the erection of public buildings.

The president announced that he had signed the following:

House joint resolution No. 10, Relative to Yakima Indian reservation.

House memorial No. 10, Relative to General R. H. Milroy.

House bill No. 1, Appropriation for Insane Asylum at Steilacoom.

They were returned to the House.

The chief clerk of the House appeared and announced that the speaker had appointed on Senate concurrent resolution No. 21, in relation to the Walla Walla penitentiary, Messrs. Gandy, Geoghegan and Stephen Judson as a conference committee.

He also announced that as the hour set for adjournment was close at hand, the House was desirous to know if the Senate had any important business to transact.

The secretary was directed to notify the House that the Senate awaited the pleasure of the House, which was done.

The chief clerk of the House appeared and announced that that

body had no more important business to transact, whereupon the hour of 12 o'clock having arrived, the president declared the Senate adjourned until January 6, 1890, at 2 P. M.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, January 6, 1890.
2 o'clock P. M.

Senate called to order pursuant to adjournment: the president in the chair.

Roll call.

Senators present were: Fariss, Forsyth, Jones, Kinnear, Luce, Owings, Parkinson, Rinehart, Seaborg, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Wilson.

Those absent were: Austin, Baker, Clough, Drum, Fairweather, Guilfoil, Houghton, Hunsaker, Hyde, Kneeland, Landes, Lawrence, Long, Payne, Preston, Wolfe, Watt, Wood, Wooding, Whalley.

Telegrams wese received from Senators Lawrence and Payne, announcing that they were snow-bound, and asking to be excused; also from Senators Baker and Guilfoil, stating that on account of sickness they were unable to attend.

On motion Senators Austin, Baker, Clough, Drum, Fairweather, Guilfoil, Houghton, Hunsaker, Hyde, Kneeland, Landes, Long, Lawrence, Preston, Payne, Watt, Whalley, Wolfe, Wood, Wooding were excused.

There being no quorum present, the Senate, on motion of Senator Fariss, adjourned at 2:10 P. M until 1:30 P. M., 7th of January.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, January 7, 1890.
1:30 o'clock P. M.

Senate called to order at 2 P. M., pursuant to adjournment; president pro tem. Parkinson in the chair.

A note was read from President Laughton announcing his inability to attend.

Roll call; all present excepting Senators Baker, Clough, Thompson (L. F.), Guilfoil, Houghton, Lawrence, Preston and Whalley, excused.

Senate memorial No. 14, received by mail, praying for the election of a chaplain, was read and referred to Judiciary Committee.

By Senator Drum: Senate memorial No. 15, Relative to Indians on the Puyallup Indian reservation, was presented.

Read first time, rules suspended, read second time by title, referred to Committee on Memorials.

MESSAGES FROM THE GOVERNOR.

The following messages were read:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, December 21st, 1889.

To the President of the Senate:

DEAR SIR—I have this day signed and approved Senate bill No. 42, entitled "An act to provide for the appointment, qualification and duties of notaries public, certifying their official acts; and declaring an emergency to exist."

Yours truly,
ELISHA P. FERRY, Governor.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, December 20th, 1889.

To the President of the Senate:

DEAR SIR—I have this day approved and signed Senate bill No. 9, entitled "An act to prohibit the making of profit out of county, city, town or other public money, or using the same for any purpose not authority by law by any officer, his agent, clerk, servant or employe, having the possession or control thereof, and providing punishment therefor."

And Senate bill No. 22, entitled "An act to provide for paying the unpaid expenses of the constitutional convention."

I am, yours truly,
ELISHA P. FERRY, Governor.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, WASHINGTON, December 23, 1889.

To the President of the Senate:

DEAR SIR—I have this day signed and approved the following:

Senate bill No. 3, entitled "An act relating to the organization, powers and duties of the supreme court, and declaring an emergency to exist."

Senate bill No. 48, entitled "An act to provide petit jurors for the superior courts of this state."

Yours truly, ELISHA P. FERRY, Governor.

INTRODUCTION OF BILLS.

By Senator Kinnear: Senate bill No. 71, An act relating to the duties of the governor.

Rules suspended, read first and second time by title, and referred to Judiciary Committee.

By Senator Kinnear: Senate bill No. 72, An act declaring it unlawful for any person, corporation or association of persons engaged in milling or coal mining, or agents of any such persons, or member, agent or officer of any such corporation or association of persons, to throw sawdust or coal slack, or other refuse matter into any of the streams of water or lakes of this state, and providing punishment therefor.

Rules suspended, read first and second time by title, and referred to the Committee on Mines and Mining.

By Senator Kinnear: Senate bill No. 73, An act to define the duties and provide for assistance for, and fix the compensation of the secretary of state.

Rules suspended, read first and second time by title, and referred to Committee on Public Revenue and Taxation.

By Senator Fariss: Senate bill No. 74, An act to fix the number of members of the legislature of the State of Washington, and to provide for an apportionment of the same into senatorial and representative districts.

Read first and second times and referred to Committee on Constitution and Revision.

By Senator Fariss: Senate bill No. 75, An act to amend section 1, entitled "An act to amend sections 1975 and 1977, of chapter 139 of the Code of Washington Territory, relating to liens."

Rules suspended, read first and second times by title, and referred to Committee on Labor and Labor Statistics.

By Senator Fariss: Senate bill No. 76, An act to provide for the publication of the names of taxpayers and the total valuation upon which taxpayers who pay taxes in the respective counties in the State of Washington.

Rules suspended, read first and second times by title, and referred to Committee on Public Revenue and Taxation.

By Senator Fariss: Senate bill No. 77, An act to authorize and provide for attorneys' fees in certain cases.

Read first and second times, and referred to Committee on Judiciary.

By Senator Drum: Senate bill No. 78, An act to establish a system of common schools in cities of 20,000 inhabitants, and to provide for properly maintaining, governing and grading the same.

Rules suspended, read first and second times, and referred to Committee on Education.

The time having arrived for the special order at 2 o'clock, Senate bill No. 17 and House bill No. 22 were, on motion of Senator Kinnear, made a special order for January 8th, at 2 o'clock P. M.

Senate memorial No. 10, For an appropriation of $50,000, to erect a lighthouse at San Juan Passage, was read third time and passed by the following vote:

Yeas: Austin, Drum, Fairweather, Fariss, Forsyth, Hunsaker, Hyde, Jones, Kinnear, Kneeland, Landes, Long, Luce, Owings, Parkinson, Payne, Rinehart, Seaborg, Snow, Thompson (G. T.), Van Houten, Vestal, Watt, Wilson, Wolfe, Wood, Wooding—27.

Absent or not voting: Baker, Clough, Guilfoil, Houghton, Lawrence, Preston, Thompson (L. F.), Whalley.

On motion of Senator Landes, Senate bill No. 34 was laid over until to-morrow.

Senator Fairweather was excused until to-morrow.

SPECIAL ORDER—SENATE BILL NO. 49.

On motion of Senator Long, Senate bill No. 49, An act to provide for the determination of conflicting claims to property, money or indebtedness, was taken up under special order at 3 P. M.

Read third time, and amended, on motion of Senator Drum, by adding "or other property" after the word indebtedness, in the fourth line of section 2; and on motion of Senator Thompson, by adding after the end of section 2, "and the clerks of the various courts shall receive and file such complaint, and all other officers shall execute the necessary processes to carry out the purposes of this act free from all charge to said plaintiff, and the court in its discretion shall determine the liability for costs of the action."

The bill was referred to Engrossing Committee, and ordered to be engrossed.

The chief clerk of the House appeared and announced the passage by the House of House joint resolution No. 15, Relative to appointing the resident members of both Houses from Seattle, Tacoma and Spokane Falls a select committee to draft a general incorporation law for cities of over 20,000 inhabitants.

On motion of Senator Long, the resolution was taken up, read and adopted.

Senator Wolfe was excused for the remainder of the day.

On motion of Senator Landes, the Senate at 3:08 P. M., adjourned until 1:30 P. M. January 8th.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, January 8, 1890.
1:30 o'clock P. M.

Senate called to order pursuant to adjournment; president pro tem. Parkinson in the chair.

Roll called; all present except Senators Baker, Fariss, Guilfoil, Houghton, Lawrence and Owings, excused.

Journal of yesterday read and approved.

REPORTS OF COMMITTEES.

The following reports were read:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred House bill No. 62, entitled "An act to provide and furnish a temporary court room for the supreme court," have had the same under consideration, and now respectfully report the same back to the Senate with the recommendation that the same be indefinitely postponed, for the reason that the object of this bill has been met by the supreme court bill already passed and approved.

Your Committee on Judiciary, to whom was referred House bill No. 10, entitled "An act regulating the exchange of flour for wheat by steam and water-power grist mills," have had the same under consideration, and now respectfully report the bill back to the Senate with the recommendation that the same do not pass.

Your Committee on Judiciary, to whom was referred House bill No. 31, entitled "An act to provide for the publication and distribution of the supreme court reports of Washington," have had the same under consideration, and respectfully report the bill back to the Senate with the recommendation that the bill pass.

Your Committee on Judiciary to whom was referred Senate bill No. 65, entitled "An act relating to suits against the state," have had the same under consideration, and now respectfully report the same back to the Senate with the following amendments, and recommend the passage of the same as amended:

First amendment: Page 1, section 1, line 1, strike out the words

"Thurston county" and insert the words "the county in which the capital is or may be located" in lieu thereof.

Second amendment: Page 1, section 1, strike out the first clause and insert in lieu thereof the following: "*First.* All claims against the state for the payment of which an appropriation has been made, when the amount has not been fixed by law, and which have been previously presented to the auditor of state, and been in whole or in part rejected or disallowed."

Third amendment: Page 1, section 1, 3d clause, strike out the words "claims for damages, liquidated or unliquidated," in the first and second lines of said third clause, and insert "or" after "set-offs" in first line.

Your Committee on Judiciary to whom was referred Senate bill No. 53, entitled "An act to legalize all deeds and other instruments of writing heretofore executed for the purpose of conveying real estate or any interest therein, or which in any manner affect the same, not witnessed by subscribing witnesses," have had the same under consideration, and now respectfully report the same back to the Senate with the following amendments, and recommend the passage of the same as amended:

First amendment: Amend the title of said act by striking out all after the word "same" in the 4th line thereof, and inserting in place thereof the words "and which have not been attested by the required number of witnesses."

Second amendment: Section 1, line 5, strike out the words "no subscribing witnesses thereto," and insert the words "not been attested by the required number of witnesses" in place thereof.

Your Committee on Judiciary, to whom was referred Senate bill No. 24, entitled "An act to provide for the publication and distribution of the supreme court reports of Washington," have had the same under consideration and now respectfully report the same back to the Senate, with the recommendation that the bill be indefinitely postponed.

Respectfully submitted, J. R. KINNEAR, Chairman.

Report concurred in by Senators Payne, Wood and Thompson, the other members of the committee being absent.

MR. PRESIDENT:

Your standing Committee on Engrossed Bills beg leave to report that Senate bill No. 16, entitled "An act in relation to the organization, powers and duties of the superior courts," has been carefully compared with the original and found correctly engrossed.

Very respectfully, THOS. PAYNE, Chairman.

MR. PRESIDENT:

Your standing Committee on Municipal Corporations have had under consideration Senate bill No. 58, To legalize the incorporation of towns and villages; and in view of the many conflicting opinions regarding the legality of the law of February 2, 1888, under which such incorporations were created, and considering that it is proposed by this bill to legalize irregularities and omissions occurring in the enforcement of this act,

which is itself of very doubtful legality, we are of the opinion that such a remedy as is proposed by this bill is beyond the scope of our legislative power.

We would therefore respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

S. VESTAL,
W. V. RINEHART,
ALEX. WATT.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills begs leave to report that Senate concurrent resolution No. 20 has been carefully compared with the original copy and found correctly enrolled.

J. M. SNOW, Chairman.

MR. PRESIDENT:

We, your Committee on Medicine, Surgery, Hygiene and Dentistry, to whom was referred House bill No. 34, do respectfully report back said bill with the recommendation that it do pass.

F. H. LUCE, Chairman,
E. B. HYDE,
J. M. SNOW.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, have had Senate bill No. 5 under consideration. Many persons have expressed doubts as to the power of the legislature to grant definite powers to an uncertain body of taxable electors, as provided for in section 1. Your committee would ask that section 1 be referred to the Judiciary Committee for an opinion.

Respectfully submitted,

S. VESTAL,
W. V. RINEHART,
ALEX. WATT.

INTRODUCTION OF BILLS.

By Senator Wilson: Senate bill No. 79, An act authorizing and empowering cities and towns organized prior to the adoption of the state constitution, to extend their credit and to fund their indebtedness, and validating certain indebtedness already contracted, and delaring an emergency to exist.

Rules suspended, read first and second time by title, and referred to the Judiciary Committee.

By Senator Wilson: Senate bill No. 80, To amend an act entitled "An act to amend section 2752 of the Code of Washington Territory, relating to assessors."

Rules suspended, read first and second times by title and referred to the Committee on Public Revenue and Taxation.

By Senator Kinnear: Senate bill No. 81, Concerning official bonds.

Rules suspended, read first and second times by title, and referred to the Judiciary Committee.

By Senator Kinnear: Senate bill No. 82, Providing for the release of sureties on official bonds and undertakings.

Rules suspended, read first and second times by title, and referred to the Committee on Judiciary.

By Senator Kinnear: Senate bill No. 83, An act relating to the duties of state auditor, and providing for his salary and assistance.

Rules suspended, read first and second times by title, and referred to the Committee on Public Revenue and Taxation.

By Senator Kinnear: Senate bill No. 84, An act relating to the duties of state treasurer, fixing his salary and providing punishment for violations of this act.

Rules suspended, read first and second times by title, and referred to the Committee on Public Revenue and Taxation.

By Senator Kinnear: Senate bill No. 85, An act relating to the duties of the attorney-general, and providing for his salary and traveling expenses.

Rules suspended, read first and second times by title, and referred to the Committee on Public Revenue and Taxation.

By Senator Drum: Senate bill No. 86, An act relating to the filing of transcripts of judgments rendered in this state by the district or circuit courts of the United States.

Rules suspended, read first and second times by title, and referred to the Committee on Judiciary.

The hour of 2 o'clock having arrived, the special order was taken up, Senate bill No. 17 and House bill No. 22, relative to official shorthand reporters for superior courts.

On motion of Senator Wilson the Senate returned to the order of business, and Senator Wilson offered Senate bill No. 87, An act providing for the appointment of official stenographers for the superior courts of this state, and fixing their compensation and duties.

Rules suspended, bill read first and second time by title.

Senator Drum moved to refer the bill to the Committee on Public Revenue and Taxation, with instructions to report immediately.

Upon this motion, Senators Luce, Payne and Wilson demanded the previous question.

The main question was ordered by divisional vote of 17 in affirmative and 4 in negative, and the bill was so referred.

The chief clerk of the House appeared and announced that the House had passed House bill No. 32, An act providing for the payment of certain expenses of, and the manner in which the salaries of, the judges of supreme and superior courts shall be paid.

The Senate then, at 2:55 P. M., on motion of Senator Kinnear, took a recess for 15 minutes by a divisional vote of yeas 16; nays not taken.

At 3:10 P. M. the Senate was called to order.

The following report was read:

MR. PRESIDENT:

Your Committee on Revenue and Taxation, to whom was referred Senate bill No. 87, An act providing for the appointment of official stenographers for the superior courts of this state, and fixing their compensation and duties, having had the same under consideration, report the same back with the recommendation that it do pass.

H. W. FAIRWEATHER,
HENRY DRUM,
HENRY LANDES,
B. C. VAN HOUTEN,
E. T. WILSON,
C. T. WOODING,
J. HUNSAKER,
S. VESTAL.

Senate bill No. 87 was then taken up, and on the question, shall the rules be suspended and the bill be now considered and put on its final passage, the yeas and nays were called by Senators Hunsaker, Jones, Kinnear, Long, Rinehart and Van Houten, resulting as follows:

Yeas: Drum, Fairweather, Forsyth, Hunsaker, Hyde, Kneeland, Long, Luce, Parkinson, Preston, Rinehart, Snow, Thompson (G. T.), Van Houten, Vestal, Whalley, Wilson, Wood — 18.

Nays: Austin, Clough, Jones, Kinnear, Landes, Payne, Seaborg, Watt, Wolfe, Wooding — 10.

Absent or not voting: Baker, Fariss, Guilfoil, Houghton, Lawrence, Owings, Thompson (L. F.).

On motion of Senator Drum, Senate bill No. 17, House bill No. 22, Senate bill No. 87, were made a special order for Thursday, January 9th, at 3 o'clock P. M.

Senator L. F. Thompson was, on motion, excused indefinitely.

Senator Drum inquired relative to the ventilation of the Senate chamber.

He moved that holes be cut in the ceiling where the proposed registers were to be placed, and that the sergeant-at-arms be instructed to see the work done.

Lost.

The Engrossing Committee made the following report:

MR. PRESIDENT:

Your standing Committee on Engrossed Bills begs leave to report that Senate bill No. 49 has been carefully compared with the original bill and found correctly engrossed. THOS. PAYNE, Chairman.

THIRD READING OF BILLS.

House bill No 62 was indefinitely postponed.

House bill No. 10, An act regulating the exchange of flour for wheat by steam and water-power grist mills, was read and placed upon its final passage.

It failed by the following vote:

Nays: Clough, Drum, Forsyth, Hunsaker, Hyde, Jones, Kinnear, Kneeland, Landes, Parkinson, Payne, Rinehart, Seaborg, Snow, Thompson (G. T.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding—23.

Absent or not voting: Austin, Baker, Fairweather, Fariss, Guilfoil, Houghton, Lawrence, Long, Luce, Owings, Preston, Thompson (L. F.).

On this bill Senators Long, Fairweather and Preston were excused from voting.

Senator Rinehart in the chair.

Senate bill No. 34, Relative to inn keepers, was taken up.

Section 2 of the emergency clause was, on motion, stricken out.

Senator Long offered the following amendment after the words "receipt therefor:" "*Provided*, That all doors to rooms furnished to guests shall be provided with slide bolts inside of such rooms on all doors, otherwise he shall be liable."

The amendment was adopted, and the bill passed by the following vote:

Yeas: Austin, Fairweather, Forsyth, Hunsaker, Hyde, Jones, Kinnear, Kneeland, Landes, Long, Luce, Payne, Preston, Rinehart, Seaborg, Snow, Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding—23.

Absent or not voting: Baker, Clough, Drum, Fariss, Guilfoil, Houghton, Lawrence, Owings, Parkinson, Thompson (G. T.), Thompson (L. F.), Van Houten.

Senator Parkinson in the chair.

On motion of Senator Wilson, the Senate, at 4:45, adjourned until 1:30 P. M. to-morrow.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, January 9, 1890.
1:30 o'clock P. M.

Senate called to order, pursuant to adjournment; the president in the chair.

Roll called; all present excepting Senators Baker and Guilfoil, excused.

Journal of yesterday read and approved.

INTRODUCTION OF BILLS.

By Senator Kinnear: Senate bill No. 88, An act to provide for prosecuting public offenses on information.

Rules suspended, read first and second time by title, and referred to the Judiciary Committee.

By Senator Kinnear: Senate bill No. 89, An act to provide for state printing.

Rules suspended, read first and second time by title, and referred to the Committee on Printing.

By Senator Whalley: Senate bill No. 90, An act to prevent the mixing of sawlogs, spars, timber or wood, and to provide for the separation and division of the same upon the streams and waters navigable for floating sawlogs, spars, timber, wood, etc.

Rules suspended, read first and second time by title, and referred to the Committee on Commerce.

By Senator Fariss: Senate bill No. 91, An act to amend section 26, of the Code of Washington Territory.

Rules suspended, read first and second time by title, and referred to the Judiciary Committee.

The chief clerk of the House appeared and announced that the House had passed House bill No. 130, A bill to authorize the appointment of commissioners of deeds, and declaring an emergency to exist, and has also passed the emergency clause contained therein.

By Senator Payne: Senate bill No. 92, An act relating to the inspection and measurement of logs, and formation of lumber districts, and repealing chapter 207 of the code, and all amendments thereto.

Rules suspended, read first and second time by title, and referred to the Judiciary Committee.

By Senator Parkinson: Senate bill No. 94, An act to encourage the destruction of blue jays.

Rules suspended, read first and second time by title, and referred to the Committee on Public Revenue and Taxation.

By Senator Rinehart: Senate concurrent resolution No. 24, Relative to providing for public printing.

Read, and, on motion of Senator Wood, made a special order for Friday, January 10th, at 2 P. M., by a divisional vote, yeas 19, nays 9.

Senate bill No. 45, Relative to providing for the election of a state printer, was, on motion of Senator Wilson, made a special order for 3 o'clock on Friday, January 10th.

Senate concurrent resolution No. 20, reported enrolled, was signed by the president.

By Senator Hunsaker: Senate bill No. 93, An act to prohibit certain persons from using firearms.

Read first time, rules suspended, read second time by title, and referred to the Committee on Judiciary.

Senate bill No. 16, Relative to the organization, power and duties of the superior courts, was taken up.

Senator Rinehart moved to amend to strike out "one judge for King county" in section 1 and insert "two judges for King county."

The yeas and nays were demanded by Senators Kinnear, Long, Kneeland, Houghton, Hunsaker and Wood.

The amendment was rejected by the following vote.

Yeas: Austin, Drum, Fairweather, Fariss, Forsyth, Jones, Rinehart, Seaborg, Thompson (G. T.), Whalley, Wood, Wooding — 12.

Nays: Clough, Houghton, Hunsaker, Hyde, Kinnear, Kneeland, Landes, Lawrence, Long, Luce, Owings, Parkinson, Payne, Snow, Thompson (L. F.), Van Houten, Vestal, Watt, Wilson, Wolfe, — 20.

Absent or not voting: Baker, Guilfoil, Preston.

Senator Houghton offered the following amendment to section

11: Add at end of section — "He shall receive a compensation of $10 for each day engaged in said trial, to be paid in the same manner as the salary of the superior judge."

Adopted, and the bill referred to the Engrossing Committee.

Senate bill No. 49, To determine conflicting claims to property, money or indebtedness, was read, and passed by the following vote:

Yeas: Austin, Clough, Drum, Fairweather, Fariss, Houghton, Hunsaker, Hyde, Jones, Kinnear, Kneeland, Landes, Lawrence, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wolfe, Wood, Wooding — 30.

Absent or not voting: Baker, Forsyth, Guilfoil, Long, Wilson.

House bill No. 31, To provide for the publication and distribution of supreme court reports, was read and passed by the following vote:

Yeas: Austin, Clough, Drum, Fairweather, Fariss, Houghton, Hunsaker, Hyde, Jones, Kinnear, Kneeland, Landes, Lawrence, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding — 31.

Absent or not voting: Baker, Forsyth, Guilfoil, Long.

The hour of 3 o'clock having arrived, the special orders of the day, Senate bill No. 17, House bill No. 22 and Senate bill No. 87 were taken up.

Senator Wilson moved that Senate bill No. 17 be indefinitely postponed.

Senator Parkinson in the chair.

Adopted by the following vote:

Yeas: Austin, Drum, Fairweather, Hunsaker, Kneeland, Landes, Lawrence, Long, Owings, Parkinson, Rinehart, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Watt, Wilson, Wood, Wooding — 20.

Nays: Fariss, Forsyth, Houghton, Hyde, Jones, Kinnear, Payne, Preston, Seaborg, Whalley, Wolfe — 11.

Absent or not voting: Baker, Clough, Guilfoil, Luce.

On motion of Senator Van Houten, House bill No. 22 was laid on the table.

Senate bill No. 87 was then taken up.

Senator Kinnear moved to indefinitely postpone the bill

Lost by the following vote:

Yeas: Hyde, Jones, Kinnear, Lawrence, Long, Parkinson, Payne —7.

Nays: Austin, Drum, Fairweather, Fariss, Forsyth, Houghton, Hunsaker, Kneeland, Landes, Luce, Owings, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding — 25.

Absent or not voting: Baker, Clough, Guilfoil.

Senator Drum moved to insert the words "or stenographers" after the word stenographer in section 1, line 2.

Adopted.

On motion of Senator Long, the words "treasurer of the county" were stricken out of section 4, line 9.

Senator Kinnear moved to amend section 5 by striking out of line 3 to 5 all commencing with the word "by" in third line down to and including "employed" in line 5, and inserting "in all civil cases by the parties litigant one-half to be paid by each in advance, and finally taxed as costs in the case of the unsuccessful litigant."

Lost.

Senator Thompson (G. T.) moved to strike out the word "therefor" in line 7, section 4, and add after the word "them" in line 8, the words "or be paid by the county."

Adopted.

Senator Kinnear moved to amend section 4 after the word "fees" in line 6, the words "and per diem."

Adopted.

On motion of Senator Houghton, there was added after the word "employed" in the fifth line, section 5, the words "and for which the county is liable to pay under the provisions of this act."

On motion of Senator Wood, in eighth line, section 5, "ten cents" was stricken out and "fifteen cents" inserted.

Senator Drum moved to add after the word "cents" in section 5, eighth line, the words "and the sum of five cents per 100 words for good carbon or press copies thereof, when the same shall be ordered by the court or either party."

Adopted.

Sections 7 and 9 were, on motion of Senator Kinnear, stricken out.

Senator Thompson (G. T.) moved the following amendment as a new section No. 7:

"That when in the judgment of the court it is deemed necessary, or desired by the parties that a stenographer should attend at any hearing before a commissioner in the taking of the testimony, the court shall so direct, and the taking of the testimony by such stenographer shall be considered as though taken in open court."

Senator Long moved to indefinitely postpone the bill.

The motion was lost by a divisional vote of 9 in affirmative to 21 in negative.

Senator Wood offered the following amendment:

SEC. 9. All stenographic fees paid by a county under this act, whether in civil or criminal cases, shall, upon final judgment, be taxed as part of the costs in the respective causes in which such fees were incurred.

Adopted.

Senator Kinnear offered a substitute for the bill.

Senator Wilson moved to lay the substitute on the table.

Adopted.

The bill was then sent to the Engrossing Committee for engrossment.

Senator Austin offered the following:

MR. PRESIDENT:

In the consideration of the subject of state tide lands your committee has given considerable attention to the matter as regards the theoretical part of the work, and at this time, in view of the difference in opinion of the people in all parts of the state, and the great importance of the subject, your committee feels the necessity of inquiring into the facts as presented by the various claimants, before passing upon the merits or demerits of the bills that will come before us.

In view of the above, we would respectfully recommend the adoption of the accompanying resolution.

C. G. AUSTIN, Chairman,
T. H. LUCE,
W. H. KNEELAND.

Resolved, That the Senate Committee on State Tide Lands be authorized to examine the said lands in the various localities as in their judgment may seem desirable and necessary, and that the attorney general of the state be invited to accompany them.

Adopted.

On motion of Senator Lawrence, the Senate, at 5:38 adjourned until to-morrow at 1:30 P. M.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, January 10, 1890.
1:30 o'clock P. M.

Senate called to order pursuant to adjournment; president in the chair.

Roll call; all present, except Senators Baker, Guilfoil and Fairweather, excused.

Journal of yesterday read and approved.

MEMORIALS.

By Senator Landes: Senate memorial No. 16, Relative to a lighthouse and fog signal at Clallam Head.

Read first time, rules suspended, read second and third time, and passed by the following vote:

Yeas: Austin, Clough, Drum, Fariss, Forsyth, Houghton, Hunsaker, Hyde, Jones, Kinnear, Kneeland, Landes, Lawrence, Long, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding—31.

Absent or not voting: Baker, Fairweather, Guilfoil, Thompson (G. T.).

By Senator Parkinson: Senate memorial No. 17, Praying congress to make the town of Blaine a port of entry.

Rules suspended, read first and second time by title and referred to the Committee on Memorials.

By Senator Lawrence: Senate memorial No. 18, Relative to transportation of freight on railroads, manufacture of grain sacks at the penitentiary, and the granting of liquor licenses, etc.

Rules suspended, read first and second time by title and referred to the Committee on Corporations.

On motion of Senator Drum, Senate concurrent resolution No. 23, the special order for January 6th, was taken from the calendar and laid on the table.

REPORT OF COMMITTEE.

The Committee on Labor and Labor Statistics reported as follows on Senate bill No. 29.

Mr. President:

Your Committee on Labor Statistics, to whom was referred Senate bill No. 29, beg leave to submit the following report, and recommend that the bill do pass with the following amendments:

That line 1 of section 10 be amended by striking out after the words "shall be," and before the word "dollars" the words "twenty-four hundred," and the figures "2400," and substitute in lieu thereof the words "eighteen hundred" and the figures "1800," and that all of section 11 be stricken out relating to the emergency clause.

After line 41 of section 2 add the following new section:

SEC. 3. It shall be the duty of all state, county and city officers to collect and fill in, on blanks furnished by the bureau, such information relative to labor, capital, acreage, products, distribution, transportation, property and immigration as from time to time may be required and made apparent on the face of said blanks. All such information must be brought up to the thirtieth (30) day of October of each year, and the said blanks, filled and attested; must be returned to the Commissioner of the Bureau of Labor Statistics, Agriculture and Immigration on or before the first (1) day of December of each year.

J. H. JONES, Chairman.
ALEX. WATT,
JOHN T. WHALLEY.

The chief clerk of the House appeared and announced that the House had passed House bill No. 126, repealing sections 1, 2, 3 and 4 of an act fixing the compensation of the auditor of Lewis county as contained in the laws of 1883; also passed the emergency clause therein.

Also passed House bill No. 138, An act to regulate the voluntary sending of newspapers.

Also passed House bill No. 101, An act to compel express companies to deliver packages, letters, parcels, within one business day after their receipt in towns and cities of over one thousand inhabitants.

Also passed House bill No. 129, An act to define and punish trespass.

Also passed House bill No. 64, to protect stock breeders in the State of Washington, and passed the emergency clause therein.

Also passed House bill No. 106, defining the duties of persons running traction engines upon the public highway.

Also passed Senate memorial No. 10.

The speaker has also signed Senate concurrent resolution No. 20.

MEDICAL LAKE HOSPITAL.

Joint Report of Senate and House Committees on State Insane, with Reference to the Hospital at Medical Lake.

OLYMPIA, WASH., January 9th, 1890.

To the President of the Senate and the Speaker of the House of Representatives:

Your standing Committees on State Insane, who were by concurrent resolution directed to inspect the hospital for the insane at Medical Lake, beg leave to submit the following:

We have visited the hospital for the insane, in process of construction, at Medical Lake, and have made a thorough examination thereof, together with all the books and accounts kept by the board of commissioners for that institution.

The state possesses one hundred and sixty acres of valuable land, upon which the hospital is situated, which land was donated to the Territory of Washington by the citizens of Medical Lake for the purpose of an asylum. This land is situated west of the town of Medical Lake about one mile, with the lake lying between. The site selected for the hospital building is on an elevation, overlooking the lake and town, and commanding a magnificent view of the landscape for many miles around, including the Cœur d'Alene mountains and Steptoe Butte.

The building is nearly completed, so far as the contract stipulated, as herein explained.

Acting under the authority of an act of the territorial legislature, approved January 25th, 1888, the board of commissioners, March 13th, 1888, selected J. G. Proctor as supervising architect of the new structure at a salary of $200 per month.

May 31st, 1888, the contract for the construction of an asylum building, modeled after the one located at Steilacoom, but larger and better, and in accordance with plans and specifications furnished by the supervising architect and approved by the board of commissioners, was awarded to Messrs. Huntington and Little, of Tacoma, at $52,000 for the whole work, they depositing with the board a certified check for $6,000 as a forfeiture in the event of their failure to execute a satisfactory bond for the faithful fulfillment of their contract. This firm, apparently in good faith, commenced the work of excavating and constructing the foundation for the building.

At a meeting of the board held August 18th, 1888, it appeared that Messrs. Huntington and Little had suspended work on the building, and it was ordered that they and the sureties on their bond be notified that they would be held to a strict accountability for the non-fulfillment of their contract.

September 17th, 1888, Hon. J. B. Metcalf, attorney general, personally inspected the building and grounds and the contract and papers relating thereto, and at a meeting of the board held September 18th, 1888, rendered an opinion that the cessation of work on the building by the contractors was wholly unjustifiable, and he officially recommended that the

board notify them that unless they recommenced work by October 2d, 1888, the board would re-advertise for letting the contract to finish the building.

Notification was thereupon duly served upon Messrs. Huntington and Little and their bondsmen, through the Northern Pacific Express Company, in accordance with the attorney general's recommendation, and further, that they would be held responsible for all damages accruing on account of the delay in the construction of the building.

No official attention was paid to this notice by the contractors, and on October 3d, the board instructed its secretary to re-advertise for bids to complete the building.

December 3d, 1888, the bid of P. Hughes and G. M. McDonald was accepted, being $51,800, the value of the work done by Huntington and Little to be deducted in final settlement, and also the value of the material then on the ground.

March 4th, 1889, L. M. Boardman was appointed supervising architect, at a salary of $200 per month, in place of J. G. Proctor, resigned.

Under the new contract, the work progressed very satisfactorily, and December 3d, 1889, the board addressed to the legislature a memorial praying for an appropriation sufficient to complete and furnish the building, ready for occupancy.

The board of commissioners have had at their disposal the sum of $60,000, appropriated by the territorial legislature, for the beginning of this structure. The plans and specifications, under the contract, called for a brick building, of certain dimensions, with granite foundation, the building to be enclosed and partitions constructed, ready for lathing and finishing.

The specifications have been carried out, and the state now has a handsome brick building, resting on a substantial foundation, the structure being 416 feet long, with an average depth of 48 feet. The main building is 74 × 48 feet, and four stories, with two wards (or extensions), each 171 × 48 feet, and three stories. Each of the stories is 12 feet in height in the clear, with the exception of the fourth, which is 16 feet. There is a basement, with granite walls, 171 feet in length and the full width of the building, and about 15 feet from the ground to the joists. The building is roofed with metallic shingles, and the windows are all in place. The foundation walls (of granite) are 24 inches in thickness above the footings. The brick walls, throughout the entire structure, are 17 inches in thickness. There are 40 brick piers and numerous arches of substantial masonry in the basement to support the floors. The building is designed to contain 260 rooms, with a capacity sufficient to accommodate about 300 patients. The partitions and all the interior framework are built of well seasoned lumber, and of a good substantial character. The floor linings throughout, including the atties, are of seasoned pine, 1 × 6 inches. Above the building are three water towers with tanks, one for each ward and one for the center building, having a capacity of 10,000 gallons each, or 30,000 gallons in all. The footings of the masonry throughout are built on solid granite, leaving no possibility of settling or raising by the action

of frost. The materials used and the workmanship are first class, and, in our judgment, a better building could not be constructed for an equal sum of money anywhere in the State of Washington.

Near the building is a good well, 20 feet deep, and containing 8 feet of water. Besides this, there is a living spring on an elevation near the building, affording a large supply of pure water that may be utilized. Water for cleansing and bathing purposes may be drawn in unlimited quantities from the lake. This lake contains medical properties which physicians and others pronounce highly beneficial in the treatment of many forms of disease.

It is desirable that another brick building be erected, 40x60, two stories, for kitchen, engine room, laundry, etc.

The following is an estimate of the amount required to complete and furnish the building ready for occupancy; also to build and complete the kitchen, laundry, boiler and power house, engine room, electric lighting, bath rooms, etc., according to the original plans:

Lathing and plastering	$8,000
Inside finishing, labor and material, including hardware and painting	23,550
Plumbing	7,150
Steam heating and ventilating, including boiler and engine	18,700
Electric lighting	7,150
Laundry machinery	1,650
Kitchen fixtures	1,750
New building (kitchen, laundry, boiler and power house, engine room, etc.) complete	19,400
Car tramway and elevators	1,225
Bedsteads, bedding and furniture	6,756
Carpets and window shades	2,410
Four hundred blankets	2,000
Piano	465
Clocks	125
Safe and office furniture	250
Total	$100,581

There is on the state's property at Medical Lake an apparently inexhaustible supply of gray granite, which cannot be excelled anywhere for building purposes, and is susceptible of high polish and fine finish for ornamental purposes. Experts who have examined this granite pronounce it superior to the product of any other locality in the United States. If properly managed this quarry will prove a valuable source of revenue to the state. There is also on the state's tract of land at Medical Lake a large deposit of clay suitable for the manufacture of building brick. Both the stone and the brick used in the construction of the hospital building there were produced on the state's property, and the quality of the material cannot be excelled anywhere.

From thirty to forty acres of the state's land at Medical Lake may be cultivated for vegetables, and a much larger portion will produce fruits, which thrive abundantly in that locality.

In selecting an eligible site on the state's lands for the location of the hospital building the commissioners took into consideration a suitable

elevation, desirable frontage, water supply and proper drainage away from the Medical Lake, all of which were obviously necessary. Thus the buildings were located in the southeast corner of the grounds, near the line. It is desirable to obtain a larger frontage, and the commissioners have agreed with E. L. Smith, owner of the adjoining property; to exchange twelve and six one-hundredths acres in the northeast corner of the state's tract of land for an equal number of acres lying in front of the state's building and between it and the lake. The deeds have been signed and deposited with the secretary of state, and the commissioners await the authority from the legislature to complete the execution thereof.

Your committee recommend that $100,000 be appropriated by the legislature to complete and furnish the Hospital for the Insane at Medical Lake, and that the board of commissioners be authorized, by legislative enactment, to make the transfer of land herein described.

Your committees find that the commissioners of the Hospital for the Insane at Medical Lake have incurred the following expenditures and issued vouchers therefor:

APRIL 17, 1888.

J. G. Proctor, architect, for plans and specifications for asylum, complete..... $1,000 00

MARCH 27.

J. D. Barnard, account books and stationery..... $85 40

MAY 15.

A. Burkhardt, sinking well..... $132 86

JUNE 1.

Seattle *Post-Intelligencer*, advertising for bids..... $18 65
Spokane Falls *Review*, same, and printing blanks..... 23 00

JUNE 11.

D. M. Drumheller, salary as commissioner..... $150 00
Freight on books..... 7 00
Cash paid secretary of state..... 5 00
B. B. Glascock, salary as commissioner..... 150 00
Stanley Hallett, salary as commissioner..... 150 00
Postage stamps, etc..... 4 25

APRIL 19.

W. E. Runner, surveying asylum land..... $28 00

JUNE 18.

John Tate, wages of men surveying..... $15 00

MAY 1.

Tacoma *News*, advertising for bids..... $18 00

MAY 2.

J. H. Boyd, pump, etc..... $8 00

AUGUST 1.

Huntington & Little, on account..... $2,500 00

AUGUST 9.

Huntington & Little..... $2,852 19

JUNE 19.

George A. Rulaford, lumber and labor constructing small office..	$39 51

AUGUST 8.

Ashley & Clark, five days measuring and calculating foundation for asylum.....	$55 75

SEPTEMBER 4.

N. T. Caton, attorney for board.....	$100 00
J. G. Proctor, for rent of office and exhibiting plans and specifications to bidders on contract.....	100 00
For services as superintendent of construction, from June 19 to July 19	200 00
For services, same, from July 19 to August 19	200 00
D. M. Drumheller, salary	150 00
Messenger to Spokane Falls for bond.....	3 00
B. B. Glascock, salary.....	150 00
Stanley Hallett, salary.....	150 00
Stamps, etc.....	2 00

DECEMBER 3.

J. G. Proctor three months and twelve days as superintendent of construction...	$692 28

DECEMBER 3.

J. G. Proctor, for cash paid Lathrop.....	$16 00
Cash paid C. Robbins.....	5 19

NOVEMBER 1.

Tacoma *News*, advertising for bids re-letting contract	$18 00

DECEMBER 3.

Spokane Falls *Review*, same.....	$18 00
Spokane Falls *Review*, 200 blanks	8 00
N. T. Caton, attorney for board	100 00
D. M. Drumheller, salary.....	150 00
B. B. Glascock, salary.....	150 00
Stanley Hallett, salary.....	150 00
Stamps, telegraphing, etc.....	7 75

MARCH 4, 1889.

Hughes & McDonald, on account.....	$4,360 00
C. W. Robbins, five weeks room rent, from October 16 to November 20, for use of superintendent and bidders.....	25 00
D. M. Drumheller, salary.....	150 00
B. B. Glascock, salary.....	150 00
Stanley Hallett, salary.....	150 00
Postage, telegraphing, stove pipe and paper.....	5 25

APRIL 1.

Hughes & McDonald, on account.....	$1,205 44

MAY 1.

Hughes & McDonald, on account	$3,407 20
L. M. Boardman, superintendent of construction, two months	400 00

JUNE 3.

L. M. Boardman, salary.....	$200 00
Hughes & McDonald, on account.....	1,729 92
D. M. Drumheller, salary.....	150 00
B. B. Glascock, salary.....	150 00
Stanley Hallett, salary.....	150 00
Recording deed to territory and for stamps	4 00

JULY 3.

L. M. Boardman, salary	$200 00
Hughes & McDonald, on account	3,850 00

AUGUST 3

L. M. Boardman, salary	$200 00
Hughes & McDonald, on account	1,755 12

SEPTEMBER 3.

Hughes & McDonald, on account	$1,812 20
L. M. Boardman, salary	200 00
D. M. Drumheller, salary	150 00
B. B. Glascock, salary	150 00
Stanley Hallett, salary	150 00

OCTOBER 3.

Hughes & McDonald, on account	$6,580 00
L. M. Boardman, salary	200 00
Clerk and Drumheller, insurance	116 67

NOVEMBER 4.

Hughes & McDonald, on account	$4,722 80
L. M. Boardman, salary	200 00

DECEMBER 3.

L. M. Boardman, salary	$200 00
D. M. Drumheller, salary	150 00
B. B. Glascock, salary	150 00
Total	$48,616 43
Balance due on asylum (estimated)	11,045 13
Grand total	$59,661 56

Respectfully submitted,

E. B. HYDE,
Chairman Senate Committee,
J. C. LAWRENCE,
W. H. KNEELAND.

J. E. GANDY,
Chairman House Committee,
JOHN T. MEDCALF.
A. B. LULL.
E. R. PICKRELL.
I. N. POWER,
OLIF PETERSON.
S. S. COOK.

On motion, 500 copies of the report were ordered printed.

REPORTS OF COMMITTEES.

The joint committee of the Senate and House on state insane with reference to the Hospital at Medical Lake, made a lengthy report which was received, and on motion of Senator Owings, 300 copies were ordered to be printed.

The following report was read:

MR. PRESIDENT:

Your Committee on Corporations other than Municipal have carefully examined Senate bill No. 67, entitled "An act to authorize persons, companies and corporations owning, leasing or operating lines of railway within this state to take, acquire, own, negotiate, sell and guarantee bonds of companies or corporations organized for the purpose of irrigating and reclaiming lands within this state," and recommend that it do pass.

N. H. OWINGS,
F. H. LUCE,
W. J. PARKINSON,
C. G. AUSTIN,
H. E. HOUGHTON.

The report of Committee on Corporations other than Municipal, on Senate bill No. 26, was read as follows:

MR. PRESIDENT:

Your committee, to whom was referred Senate bill No. 26, the same being for an act "To prohibit mining and manufacturing corporations from engaging in the business or carrying on stores known as company stores or general supply stores," would respectfully report that they have carefully and exhaustively examined said bill in whole and in part, and respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

Your committee would respectfully submit to the Senate, as a part of this report, as among the reasons why said bill should not become a law, the following:

First. For that, should said bill become a law it would be unconstitutional in this that being general in its scope and application it would interfere with vested rights of such mining and manufacturing corporations as might have, at the time of the taking effect of such law, should this bill become a law, invested capital in or established such stores or supply depots as are contemplated in this bill, it being a well settled principle of fundamental law that except in cases of the abatement of nuisance of unquestioned character under the law, no legislation can be sustained which either directly or indirectly interferes with the private property either of individuals or corporations, and the full and free enjoyment thereof in the manner and applied to the purposes for which it was originally intended, providing such purpose was in the beginning lawful. That such a law—should this bill be enacted—would tend to render valueless, or greatly depreciate in value, without rendering or providing any compensation therefor, a great amount of property within the state belonging to mining and manufacturing corporations, and this without the consent of such corporations, and contrary to the general principle hereinbefore referred to, such result flowing from the consequent interference with the use of such property for the purpose for which it was intended. That section 2 of the bill, should it become a law, would estab-

lish in our courts a new and arbitrary rule of evidence applicable exclusively to actions under such law, whether of a civil or criminal nature, and would in effect so far as such actions under such law are concerned, completely revolutionize both the civil and criminal procedure of the state by reversing the time honored proposition that "the burden of proof rests upon the plaintiff" in the one instance, and that "he who is accused of crime is presumed to be innocent until he is proven guilty" in the other. Furthermore, such rule of evidence is by said section 2 made contingent upon the existence of some imaginary, hypothetical, illegal and non-enforcible rule, regulation or contract made by or entered into by such mining or manufacturing corporations. The law does not contemplate the possibility of the existence of that which may not legally exist, and to enact legislation so radical in its character as that proposed in the section referred to, for no better reason than the possible making of an illegal rule, regulation or contract by a corporation, when such corporation is already absolutely prevented by law from enforcing the same, seems to your committee, to say the least, unwise and inexpedient.

Second, That should this bill become a law it would work unnecessary hardship and injustice both to the corporations contemplated in the bill and the employes of such corporations in many instances, as for example where the place of operations of such a corporation is far removed from a town or city or other general base of supplies. In such a case it is not reasonable to presume that a person not interested in such corporation or the success of its undertakings would invest in and establish such a store or supply depot as is contemplated by this bill for the exclusive benefit of such corporation and the employes thereof, in the absence of other sufficient patronage and inducement in the nature of profits in cases where the patronage of the corporation and employes is insufficient to afford such a profit as a person engaged in such business would expect and might enjoy elsewhere, and many such cases, your committee is advised, do exist. For such a case as the above each individual employe would be obliged to procure his own supplies from the nearest base of supplies, and give his time and attention to the transportation of the same, to his inconvenience and sacrifice, while on the other hand the corporation being interested primarily in the accomplishment of the immediate purposes for which it exists, can and does establish in such cases stores and supply depots for the accommodation of its employes, without regard to the amount of patronage to be received or profit to be realized therefrom, it being necessary so to do for the prosecution of its enterprises and to avoid unnecessary encroachment upon the time of employes.

Third, That should this bill become a law it will so complicate the relations between employes and the corporations mentioned, that instead of the former being benefited thereby they will be absolutely injured in consequence thereof, so long as it is the general custom — and it now is — for such employes, where they receive supplies from third persons

to hypothecate the credit of their employers upon written or accepted orders therefor.

Fourth. That *quo warranto* being an extraordinary legal remedy, should be resorted to only in extreme cases where there is no other adequate remedy, and that the object sought by this bill can in no wise justify the extraordinary power conferred upon disinterested persons, to invoke the aid of such remedy by the enacting of this bill.

All of which is respectfully submitted.

N. H. OWINGS, Chairman,
C. G. AUSTIN,
F. H. LUCE,
W. J. PARKINSON,
H. E. HOUGHTON.

Senator Kinnear moved that Senate bill No. 26 be made a special order for Tuesday, January 14th, at 2 o'clock.

Adopted.

SPECIAL ORDER.

The hour of 2 o'clock having arrived, the special order was taken up, House bill No. 3, To prevent deception in the sales of dairy products.

On motion of Senator Whalley, the word "unhealthy" was stricken out of section 1, and the word "unwholesome" substituted.

On motion of Senator Houghton, the words "commonly and knowingly" were inserted between the words "are" and "used" in section 2.

The bill was then passed by the following vote:

Yeas: Austin, Clough, Drum, Fariss, Forsyth, Houghton, Hunsaker, Hyde, Jones, Kinnear, Kneeland, Lawrence, Long, Luce, Owings, Parkinson, Seaborg, Snow, Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding—27.

Nays: Rinehart—1.

Absent or not voting: Baker, Fairweather, Guilfoil, Landes, Payne, Preston, Thompson (G. T.).

STATE PRINTING.

Senate concurrent resolution No. 24, the special order for 2 P. M., was taken up.

Senator Houghton moved to amend as follows:

After the word "extended" insert "30 days from 21st December, 1889," and strike out "its entire session" and insert the words "that time."

Adopted.

The resolution was then passed.

COMMITTEE REPORTS.

The following was read:

MR. PRESIDENT:

Your Committee on Corporations other than Municipal, have carefully examined Senate bill No. 52, An act to require the fencing of railroads, and recommend that it do pass.

N. H. OWINGS,
F. H. LUCE,
W. J. PARKINSON,
C. G. AUSTIN,
H. E. HOUGHTON.

INTRODUCTION OF BILLS.

House bill No. 130 was read first time, rules suspended, read second time by title, and referred to the Committee on Judiciary.

House bill No. 106: Rules suspended, read first and second times by title, and referred to Committee on Agriculture.

House bill No. 64: Rules suspended, read first and second times by title, and referred to Committee on Agriculture.

House bill No. 126: Rules suspended, read first and second times by title, and referred to Judiciary Committee.

House bill No. 138: Rules suspended, read first and second times by title, and referred to the Committee on Commerce.

House bill No. 29: Rules suspended, read first and second times by title, and referred to the Committee on Judiciary.

House bill No. 101: Rules suspended, read first and second times by title, and referred to the Committee on Commerce.

Senate memorial No. 10, Relative to a lighthouse in San Juan Passage, was sent to the Enrolling Committee.

By Senator Luce: Senate bill No. 95, An act to create a board of capitol commissioners, prescribing their duties and powers, and declaring an emergency.

Rules suspended, read first and second time by title, and referred to the Committee on Public Buildings and Grounds.

By Senator Luce: Senate bill No. 96, An act to provide for the better preservation of the mining records in certain mining districts.

Rules suspended, read first and second time by title, and referred to the Committee on Mines and Mining.

By Senator Luce: Senate bill No. 97, An act to protect the rights

of owners of stock shares and interests in the mineral and metal yielding mines of this state.

Rules suspended, read first and second time by title, and referred to the Committee on Mines and Mining.

By Senator Luce: Senate bill No. 98, An act to provide for the formation of certain corporations.

Rules suspended, read first and second time, and referred to the Committee on Mines and Mining.

By Senator Luce: Senate bill No. 99, An act to authorize the extension and enlargement of cities and townsites within this state.

Rules suspended, read first and second time by title, and referred to Committee on Municipal Corporations.

By Senator Humsaker: Senate bill No. 100, An act requiring all transportation companies to promptly forward all freight, and making them liable for damages when failing promptly to forward the same.

Rules suspended, read first and second time by title, and referred to Committee on Commerce.

STATE PRINTER.

Senator Parkinson in the chair.

The special order for 3 o'clock, Senate bill No. 45, to elect a state printer, was taken up.

Senator Kinnear moved to make it a special order for Thursday next at 2 o'clock.

The yeas and nays were demanded by Senators Wood, Owings, Payne, Houghton, Kinnear and Whalley.

The motion was defeated by the following vote:

Yeas: Clough, Fariss, Forsyth, Houghton, Humsaker, Jones, Kinnear, Luce, Payne, Rinehart, Thompson (G. T.), Vestal, Wood — 13.

Nays: Austin, Hyde, Kneeland, Lawrence, Long, Owings, Parkinson, Preston, Seaborg, Snow, Van Houten, Watt, Whalley, Wilson, Wolfe, Wooding — 16.

Absent or not voting: Baker, Drum, Fairweather, Guilfoil, Landes, Thompson (L. F.).

Senator Wood moved to lay the bill on the table.

Lost by the following vote, the yeas and nays being unanimously called:

Yeas: Drum, Fariss, Forsyth, Houghton, Humsaker, Jones,

Kinnear, Luce, Parkinson, Payne, Rinehart, Thompson (G. T.), Vestal, Wood — 14.

Nays: Austin, Clough, Hyde, Kneeland, Lawrence, Long, Owings, Preston, Seaborg, Snow, Van Houten, Watt, Whalley, Wilson, Wolfe, Wooding — 16.

Absent or not voting: Baker, Fairweather, Guilfoil, Landes, Thompson (L. F.).

On motion of Senator Whalley, the Senate went into committee of the whole on the bill, Senator Long in the chair.

The committee arose and Chairman Long reported the bill to the Senate with sundry amendments. The president in the chair.

The bill was then read a third time.

The amendment to the title recommended by the committee was not adopted.

On motion of Senator Owings, section 1 was amended by adding the words "the incumbent whereof shall reside at the capital."

On motion of Senator Houghton, section 2 was amended by inserting after the words "day to day" the words "and shall take at least one vote each day."

On motion of Senator Owings there was added after the words "supreme court," in section 5, the words "provided nothing in this act shall be so construed as to interfere with the provisions of an act entitled 'An act to provide for the printing and distribution of the decisions of the supreme court of Washington.'"

Senator Thompson moved to amend, as follows:

After the word "elected," in section 2, add "in the same manner as other state officers are elected," and strike out the rest of the section.

On this amendment the yeas and nays were called by Senators Kinnear, Hunsaker, Owings, Rinehart, Thompson (G. T.), Kneeland.

Adopted by the following vote:

Yeas: Fariss, Forsyth, Houghton, Hunsaker, Jones, Kinnear, Kneeland, Lawrence, Payne, Preston, Rinehart, Seaborg, Thompson (G. T.), Vestal, Wolfe, Wood — 16.

Nays: Austin, Clough, Drum, Hyde, Long, Luce, Owings, Parkinson, Snow, Van Houten, Watt, Whalley, Wilson, Wooding — 14.

Absent or not voting: Baker, Fairweather, Guilfoil, Landes, Thompson (L. F.).

Senator Drum moved that the further consideration of the bill be postponed until 2 o'clock Wednesday next.

The yeas and nays were called for by Senators Kinnear, Hunsaker, Owings, Rinehart, Thompson (G. T.) and Kneeland.

Lost by the following vote (not two-thirds):

Yeas: Austin, Clough, Drum, Fariss, Forsyth, Houghton, Hunsaker, Jones, Kinnear, Lawrence, Luce, Parkinson, Payne, Rinehart, Thompson (G. T.), Vestal, Wolfe, Wood, Wooding—19.

Nays: Hyde, Kneeland, Long, Owings, Preston, Seaborg, Snow, Van Houten, Watt, Whalley, Wilson—11.

Absent or not voting: Baker, Fairweather, Guilfoil, Landes, Thompson (L. F.).

Senator Lawrence gave notice that he would move to-morrow to re-consider the vote by which the amendment of Senator G. T. Thompson to section 2 was adopted.

The Senate then on motion of Senator Houghton, at 5:15 P. M., adjourned until 10:30 A. M. Saturday, 11th inst.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, January 11, 1890.
10:30 o'clock A. M.

Senate called to order, pursuant to adjournment; the president in the chair.

Roll called; all present except Senators Baker, Guilfoil, Landes and Kneeland, excused.

Journal of yesterday read and approved.

Senator Drum offered the following, which was adopted:

That the Committee on Public Buildings and Grounds be directed to make an estimate of the necessary expenses to furnish the state library with new stove, chairs, shelves, carpets, etc., and report by an appropriation bill.

REPORTS OF COMMITTEES.

The following reports were read:

MR. PRESIDENT:

We, your Committee on Internal Improvements, to whom was referred House memorial No. 9, beg leave to report and recommend that the memorial do pass, with the following amendments:

Strike out from the third line from the bottom of page two, "a majority," and insert "of seven-eighths."

In the second line from the bottom of same page, strike out "s" from Indians and insert "council."

Also, strike out from the last line of the page, "through their council," so that the paragraph will read as follows:

"WHEREAS, The consent of seven-eighths of the Indian council of said Puyallup reservation has been honestly obtained: *Provided*, That for the land so taken, just compensation would be made therefor."

(Signed) JOHN T. WHALLEY,
N. H. OWINGS,
J. H. LONG.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 88, entitled "An act to provide for prosecuting public offenses on information," have had the same under consideration, and now respectfully report the same back with the following amendment, and as ammended, recommend its passage:

First amendment—Add to said bill the following: "Sec. 8. Whereas, there is no law in this state authorizing the prosecution of public offenses on information in criminal cases, and there is an immediate necessity therefor, an emergency exists, and therefore this act shall take effect and be in force from and after its passage and approval by the governor."

Respectfully submitted,
J. R. KINNEAR, Chairman.

Report concurred in by Senators Houghton, Wood, Whalley and Thompson.

On motion of Senator Kinnear, the bill (No. 88) was made a special order at 11 o'clock.

MR. PRESIDENT:

Your Commtttee on Judiciary, to whom was referred Senate bill No. 71, entitled "An act relating to the duties of the governor," have had the same under consideration, and now respectfully report the same back to the Senate, with the following amendments, and recommend its passage:

First amendment: Page 1, section 1, subdivision 5, last line, strike out the words "legislative assembly" and insert the word "legislature" in place thereof. Also, page 2, subdivision 10, strike out at end thereof the words "in this act" and insert the words "by law."

Second amendment: Page 1, section 1, subdivision 6, last line, strike out the words "legislative assembly" and insert the word "legislature" in place thereof.

Third amendment: Page 3, section 3, line 2, strike out the words "legislative assembly" and insert the word "legislature" in place thereof.

Respectfully submitted, J. R. KINNEAR, Chairman.

Senators Wood, Thompson, Whalley and Houghton concur in report, the other members of the committee being absent.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 70, entitled "An act providing for the exemption of firemen from jury duty and capitation tax, and declaring that an emergency exists," have had the same under consideration, and now respectfully report the same back, with the following amendment, and, as amended, recommend its passage:

First amendment: Page 1, section 1, line 2, after the word "organized" insert the word "volunteer."

Respectfully submitted, J. R. KINNEAR, Chairman.

Senators Wood, Thompson, Houghton and Whalley concur in report, other members of committee being absent.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate memorial No. 14, have had the same under consideration, and now respectfully report the same back to the Senate, and recommend that the prayer of the memorialists be granted. Your committee further report that they have carefully considered the constitutional provision relating to the subject embraced in said memorial, and report their opinion to be that no money can be appropriated from the public funds in payment for religious exercises. Respectfully submitted, J. R. KINNEAR, Chairman.

Report concurred in by Senators Houghton, Whalley, Wood and Payne, Senators Baker and Thompson being absent.

On motion of Senator Kinnear the report was adopted.

INTRODUCTION OF BILLS.

By Senator Thompson (L. F.): Senate bill No. 101, An act to regulate and control the rates of fares and tickets on railroads in this state, and to prevent extortion.

Rules suspended, read first and second time by title, and referred to the Committee on Corporations.

By Senator Thompson (L. F.): Senate bill No. 102, An act entitled "An act to provide for the change of boundary lines between counties.

Rules suspended, read first and second time by title, and referred to the Committee on Counties and County Boundaries.

By Senator Preston: Senate bill No. 103, An act appropriating money to meet certain state expenses.

Rules suspended, read first and second time by title, and referred to the Committee on Public Revenue and Taxation.

By Senator Rinehart (by request): Senate bill No. 104, An act prescribing the manner of payment of the expenses of the first Legislature of the State of Washington.

Rules suspended, read first and second time by title, and referred to the Committee on Judiciary.

By Senator Hyde: Senate bill No. 105, An act authorizing state board of commissioners for the Hospital for the Insane at Medical Lake, in Eastern Washington, to issue to E. L. Smith a deed to a certain tract or parcel of land in exchange for other land, and declaring an emergency to exist.

Rules suspended, read first and second time by title, and referred to the Committee on Public Buildings and Grounds.

By Senator Luce: Senate bill No. 106, An act concerning mines, and declaring an emergency.

Rules suspended, read first and second time by title, and referred to the Committee on Mines and Mining.

By Senator Luce: Senate bill No. 107: An act relating to crimes and punishments and declaring an emergency.

Rules suspended, read first and second time by title, and referred to the Committee on Mines and Mining.

Senator L. F. Thompson was excused from attendance.

The hour of 11 o'clock having arrived the special order was taken up.

Senate bill No. 88, An act to provide for prosecuting public offense on information.

The following amendment of the committee was adopted.

Add to the bill:

SEC. 8. Whereas, there is no law in this state authorizing the prosecution of public offenses on information in criminal cases, and there is an immediate necessity therefor, an emergency exists, and therefore this act shall take effect and be in force from and after its approval by the governor.

On motion of Senator Kinnear the bill was considered as engrossed and put on its final passage.

Passed by the following vote:

Yeas: Austin, Drum, Fairweather, Fariss, Forsyth, Houghton, Hunsaker, Hyde, Jones, Kinnear, Lawrence, Long, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Van Houten, Vestal, Whalley, Wolfe, Wood, Wooding —27.

Absent or not voting: Baker, Clough, Guilfoil, Kneeland, Landes, Thompson (L. F.), Watt, Wilson.

The emergency clause was passed by the following vote:

Yeas: Austin, Drum, Fariss, Forsyth, Houghton, Hunsaker,

Hyde, Jones, Kinnear, Lawrence, Long, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Vestal, Whalley, Wolfe, Wood, Wooding — 24.

Absent or not voting: Baker, Clough, Fairweather, Guilfoil, Kneeland, Landes, Luce, Thompson (L. F.), Van Houten, Watt, Wilson.

Senate bill No. 65 was taken up and amended according to recommendations of Judiciary Committee.

Read third time and ordered to be engrossed.

Senate bill No. 53: Amended in accordance with recommendations of Judiciary Committee, read third time and ordered to be engrossed.

Senate bill No. 24: The report of the Judiciary Committee was, on motion of Senator Wood, agreed to, and the bill indefinitely postponed.

Senate bill No. 58 was, on motion of Senator Drum, laid on the table.

House bill No. 34 was read third time, and passed by the following vote:

Yeas: Austin, Drum, Fairweather, Fariss, Forsyth, Hunsaker, Hyde, Jones, Kinnear, Luce, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Van Houten, Vestal, Watt, Whalley, Wilson, Wood — 22.

Nays: Houghton, Long, Owings, Wolfe, Wooding — 5.

Absent or not voting: Baker, Clough, Guilfoil, Kneeland, Landes, Lawrence, Thompson (G. T.), Thompson (L. F.).

Senate bill No. 29: The amendments recommended by the Committee on Labor and Labor Statistics were, on motion of Senator Whalley, adopted, and the bill made a special order for Monday, January 13th, at 2 P. M., to be considered in committee of whole.

Senate bill No. 67 was read third time, and passed by the following vote:

Yeas: Austin, Clough, Drum, Fairweather, Forsyth, Hunsaker, Kinnear, Long, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding — 24.

Nays : Fariss, Jones, Lawrence — 3.

Absent or not voting: Baker, Guilfoil, Houghton, Hyde, Kneeland, Landes, Thompson (G. T.), Thompson (L. F.).

ENGROSSED BILLS.

The Committee on Engrossed Bills made the following report:

MR. PRESIDENT:

Your standing Committee on Engrossed Bills beg leave to report that Senate bill No. 16, entitled "An act in relation to the organization, power and duties of the superior courts;" also, Senate bill No. 87, entitled "An act providing for the appointment of official stenographers for the superior courts of this state, and fixing their compensation and duties," have been carefully compared with the original thereof and found correctly engrossed.

Yours respectfully,

THOS. PAYNE, Chairman.
J. C. LAWRENCE.

Senate bill No. 16 was, on motion of Senator Wood, made a special order for Thursday, 16th inst., at 2 o'clock.

Senate bill No. 87 was read.

Senator Kinnear moved to make it the special order for Tuesday, 14th inst., at 3 o'clock.

Lost.

Senator Wilson moved the previous question, which was seconded by the requisite number.

The main question was ordered, and the bill passed by the following vote:

Yeas: Austin, Clough, Drum, Fairweather, Houghton, Hunsaker, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Whalley, Wilson, Wood, Wooding — 18.

Nays: Fariss, Forsyth, Hyde, Jones, Kinnear, Lawrence, Long, Payne, Van Houten, Vestal, Watt, Wolfe — 12.

Absent or not voting: Baker, Guilfoil, Kneeland, Landes, Thompson (L. F.).

The chief clerk of the House appeared, and announced that the House had passed House bill No. 140, An act giving the consent of the legislature of the State of Washington to the purchase and reservation by the United States of land within this state, by a vote of 60 yeas, no nays. The emergency clause was passed by a vote of 60 yeas and no nays.

Senate bill No. 53 was taken up; Senator Parkinson in the chair.

Amended by striking out "every" and inserting "any."

Striking out the words "and bars" in section 1.

Striking out the word "such" before "killing," in section 1.

Inserting the word "lawful" before the words "fence under," in section 1.

President in the chair.

Senators Wood, Van Houten and Thompson (L. F.) were excused from attendance next week.

On motion of Senator Wilson, the Senate, at 1:40 P. M., adjourned until Monday, 13th inst., at 2 P. M.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, January 13, 1890.
2 o'clock P. M.

Senate called to order, pursuant to adjournment; the president in the chair.

Roll called; all present, except the following senators, who were excused: Senators Fairweather, Drum, Baker, Hyde (indefinitely), Jones, Kinnear, Long, Thompson (G. T.), Thompson (L. F.), Van Houten and Wood.

Journal of yesterday read and approved.

Senator Jones' bill, No. 29, the special order for 2 P. M., was, at the telegraphic request of Senator Jones, laid on the table, subject to call.

Senator Parkinson offered a petition of citizens of Whatcom county for the adoption of the Australian system of voting and regulating registration and citizenship.

Read, and referred to Committee on Privileges and Elections.

Senator Parkinson offered a petition for a mechanic's lien law by citizens of Whatcom county.

Read, and referred to the Judiciary Committee.

Senator Whalley moved that the sergeant-at-arms be instructed to procure for each member of the Senate a copy of the session laws of 1883, 1885--1886 and 1887--1888.

By Senator Houghton; Senate concurrent resolution No. 26:

Resolved by the Senate, the House of Representatives concurring, That no new business shall be received by the legislature after Monday, the 27th day of January, 1890.

Read, and made a special order for Tuesday, January 14th, at 3 P. M.

By Senator Whalley: Senate concurrent resolution No. 25, For the submission of a proposition to amend the constitution, section 5, article 16.

Rules suspended, read first and second time by title, and referred to the Committee on Constitution and Revision.

Senator Lawrence asked that the Committee on Education be allowed a clerk at $5 per day.

Messrs. Lawrence and Parkinson, of said committee, informed the Senate that M. J. Cochran, of Tacoma, Pierce county, had been selected by the Committee on Education as its clerk.

The oath was administered to M. J. Cochran by the president.

By Senator Rinehart: Senate concurrent resolution No. 27, Providing for printing the laws on parchment.

Read, and, on motion of Senator Houghton, made a special order for Tuesday, January 14th, at 2:30 P. M.

REPORTS OF COMMITTEES.

The following was read;

MR. PRESIDENT:

Your Committee on Military, to whom was referred House bill No. 39, entitled "A bill for an act to prevent persons from using or wearing the badge of the Grand Army of the Republic of this state," have had the same under consideration, and respectfully report the same back to the Senate with the following amendments, and as amended recommend the passage of the bill:

First amendment. In title insert the word "unauthorized" after the word "prevent."

Second amendment. After the word "Washington" insert the words "and Alaska" in line 14, section 1.

Respectfully submitted,

HENRY LANDES, Chairman.
WM. D. WOOD,
H. W. FAIRWEATHER.

MR. PRESIDENT:

Your standing Committee on Engrossed Bills beg leave to report that Senate memorial No. 10, Praying for an appropriation of $50,000 to erect a lighthouse at San Juan Passage, has been carefully compared with the engrossed copy thereof and found correctly enrolled.

Very respectfully,

J. M. SNOW,
W. V. RINEHART,
J. HUNSAKER.

The president gave notice that he was about to sign Senate memorial No. 10, which was done.

REPORT OF COMMITTEES.

MR. PRESIDENT:

Your Committee on Memorials, to whom was referred Senate memorial No. 15, together with a petition containing one hundred and twelve signatures, of which number seventy-eight are made by a + or his mark, herewith return the same without recommendation.

C. E. FORSYTH,
W. V. RINEHART,
B. A. SEABORG.

MR. PRESIDENT:

Your Committee on Memorials, to whom was referred Senate memorial No. 6, herewith return substitute for said memorial, with the recommendation that it do pass.

C. E. FORSYTH.
W. V. RINEHART,
B. A. SEABORG.

The select committee, to ascertain and report the various needs of the state offices and state library, in reference to the furniture thereof, made the following report:

To the Honorable Senate and House of Representatives of Washington:

GENTLEMEN — Your committee, appointed under concurrent resolution No. 12, to ascertain and report the various needs of the state offices and state library, in reference to the furniture and accessories necessary thereto, beg leave to report:

That they have made an examination of each of the state offices and the state library, and of the furniture, fixtures and accessories thereof, and find that the same, in every case, falls far short of what it should be, both in kind, quality and amount.

That the furniture turned over to the state by the United States, is antiquated and in many cases entirely worn out, rickety and falling to pieces, from long continued usage and decay; that the whole stock of such furniture is wholly disreputable and neither reflects credit upon the state nor serves any other purpose than a makeshift.

Your committee, upon an examination of the state library, find the shelving and other fixtures wholly insufficient to accommodate the rapidly increasing size of that institution, and such as there is of it is practically unsafe and ill-suited to the requirements of the place.

Your committee would respectfully recommend that all of the state offices be re-furnished and fitted at once with desks, tables, chairs, copying presses, stoves, carpets and such other accessories as may be necessary, and that the same be selected with especial care to quality and fitness, and of the most modern and substantial character, suitable in design to comport with the dignity of statehood, and believe that in so recommending, the wisest economy will result from such a course.

Your committee has made an estimate of the cost of such furniture and accessories necessary at this time, and find that the sum necessary for that purpose will be $5,500, and recommend that a proper bill appro-

priating that sum should be enacted at an early date, in order that the improvements suggested may be made at once.

A. T. FARISS,
R. H. HUTCHINSON.

INTRODUCTION OF BILLS.

By Senator Austin (by request): Senate bill No. 108, An act to amend section 2479 of the Code of Washington relating to foreign corporations.

Rules suspended, read first and second time by title, and referred to the Committee on Corporations.

MESSAGE FROM THE HOUSE.

The clerk of the House appeared and announced that the House had passed House bill No. 79, An act to provide for the purchase of necessary plant for the manufacture of grain sacks at the Walla Walla penitentiary.

Also passed House bill No. 49, An act declaring certain streets in incorporated cities public highways, and placing them under the corporate authorities.

Also passed House bill No. 148, An act to provide for the payment of the incidental expenses of the legislature.

Also passed the emergency clause therein.

Also passed Senate bill No. 39, An act for the relief of Thomas M. Reed, et al.

Also notifying the Senate that the speaker had signed House bill No. 31, An act providing for the publication of the supreme court reports, which had passed both houses, and reported correctly enrolled.

INTRODUCTION OF BILLS.

By Senator Austin: Senate bill No. 109, An act to repeal an act entitled "An act to prevent trespass by sheep upon certain lands in this territory, and to punish owners of such sheep for violation of this act."

Rules suspended, read first and second time by title, and referred to Committee on Agriculture.

By Senator Whalley: Senate bill No. 110, An act to repeal chapter 70 of the laws of the Legislative Assembly of the Territory of Washington of 1887 and 1888, relative to the licensing of animals kept for breeding purposes for hire, approved February 2, 1888.

Rules suspended, read first and second time by title, and referred to Committee on Agriculture.

By Senator Whalley: Senate bill No. 111, An act for the regulation of the sale of patent or proprietary medicines.

Rules suspended, read first and second time by title, and referred to Committee on Medicine, Hygiene, etc.

By Senator Luce: Senate bill No. 112, An act to provide for the purchase of furniture for state offices, and to make an appropriation for the same.

Rules suspended, read first and second time by title, and referred to committee of the whole.

By Senator Preston: Senate bill No. 113, a substitute for Senate bill No. 103, An act appropriating money for the payment of certain state expenses.

Rules suspended, read first and second time by title, and referred to Committee on Revenue and Taxation.

House bill No. 140, substitute for House bill No. 100, was read and referred to Committee on Federal Relations, Senator Rinehart in the chair.

PASSAGE OF BILLS.

Senate bill No. 52 was taken up, amended, on motion of Senator Lawrence, by inserting after the word "injury" in section 1, the words "of cattle or other stock."

Read third time, and passed by the following vote:

Yeas: Austin, Clough, Forsyth, Guilfoil, Houghton, Hunsaker, Landes, Lawrence, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Vestal, Watt, Whalley, Wilson, Wolfe, Wooding —21.

Absent or not voting: Baker, Drum, Fairweather, Fariss, Hyde, Jones, Kinnear, Kneeland, Long, Luce, Thompson (G. T.), Thompson (L. F.), Van Houten, Wood.

House memorial No. 9: The amendments that were reported by the committee were adopted.

Memorial read a third time, and passed by the following vote:

Yeas: Austin, Clough, Forsyth, Guilfoil, Houghton, Hunsaker, Landes, Lawrence, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Vestal, Watt, Whalley, Wolfe, Wooding — 20.

Absent or not voting: Baker, Drum, Fairweather, Fariss, Hyde, Jones, Kinnear, Kneeland, Long, Luce, Thompson (G. T.), Thompson (L. F.), Van Houten, Wilson, Wood.

The president in the chair.

Senate bill No. 71 was, on motion of Senator Houghton, made a special order for Tuesday, January 14th, at 4 P. M.

Senate bill No. 70, Providing for the exemption of firemen from jury duty and capitation tax, and declaring an emergency to exist, was, on motion of Senator Houghton, made a special order for Monday, January 20th, at 2 o'clock P. M.

House bill No. 39: The amendments of the committee were adopted.

Senator Houghton moved to lay the bill on the table.

Lost.

Senator Wolfe moved to strike out of section 1 the words "to obtain aid or assistance thereby."

Lost.

The bill failed of passage by the following vote:

Yeas: Austin, Clough, Fariss, Humsaker, Landes, Lawrence, Luce, Owings, Parkinson, Rinehart, Seaborg, Snow, Watt, Wilson, Wolfe, Wooding — 17.

Nays: Forsyth, Guilfoil, Payne, Preston, Vestal, Whalley— 7.

Absent or not voting: Baker, Drum, Fairweather, Hyde, Jones, Kinnear, Kneeland, Long, Thompson (G. T.), Thompson (L. F.), Van Houten, Wood.

Senator Preston, who had changed his vote, gave notice that he would move to reconsider the vote on to-morrow.

Senate memorial No. 15: Senator Houghton moved to strike out the sixth "whereas" of the memorial.

Lost.

On motion of Senator Houghton, it was made a special order for Wednesday, at 2 P. M.

Senate memorial No. 18, a substitute for Senate memorial No. 6, Relative to subsidizing steamship lines, was read and passed by the following vote:

Yeas: Austin, Clough, Forsyth, Guilfoil, Houghton, Humsaker, Landes, Lawrence, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Vestal, Watt, Whalley, Wilson, Wolfe, Wooding — 22.

Absent or not voting: Baker, Drum, Fairweather, Fariss, Hyde, Jones, Kinnear, Kneeland, Long, Thompson (G. T.), Thompson (L. F.), Van Houten, Wood.

Senate bill No. 45 was, on motion of Senator Whalley, made a special order for Saturday, at 10:45 A. M.

House bill No. 79: Rules suspended, read first and second time by title, and referred to committee on State Prisons, on motion of Senator Lawrence.

House bill No. 49: Rules suspended, read first and second time by title, and referred to Committee on Tide Lands, on motion of Senator Landes.

House bill No. 148: Rules suspended, read first and second time by title, and referred to Committee on Public Revenue and Taxation, on motion of Senator Wilson.

Senate bill No. 39 was referred to the Enrolling Committee for enrollment.

House bill No. 31, passed by both houses and signed by the speaker, entitled "An act to provide for the publication and distribution of the supreme court reports," was signed by the president.

On motion of Senator Lawrence, the Senate adjourned, at 4:05 P. M., until 1:30 P. M. to-morrow.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, January 14, 1890.
1:30 o'clock P. M.

Senate called to order pursuant to adjournment; the president in the chair.

Roll called; all present except Senators Baker, Drum, Hyde, Jones, Kinnear, Kneeland, Thompson (G. T.), Thompson (L. F.), Van Houten and Wood, all of whom were excused.

Journal of yesterday read and approved.

Senator Whalley moved that the motion made yesterday by himself, as to the session laws being procured, be changed so that the auditor be requested to furnish those of 1883.

Adopted.

Senator Rinehart (by request) offered a petition from the Washington Temperance Alliance, headquarters at Seattle, praying for the enactment of a law prohibiting the manufacture and sale of

alcoholic and malt liquors as a beverage in the State of Washington.

Referred to Committee on Public Morals.

A petition of the same kind was offered by Senator Parkinson, and referred to the same committee.

Senator Rinehart offered the following, which was adopted:

Resolved, That the engrossing clerk of the Senate, Mr. McClinton, be made the supervising clerk of the Engrossing and Enrolling Committee of the Senate, with full authority to assign work and give directions for its prompt and accurate execution.

A petition was presented by Senator Rinehart, from the bar and citizens of Seattle and King county, asking for the appointment of an additional judge in King county, and setting forth urgent reasons therefor.

Referred to the Judiciary Committee.

Senator Preston moved to reconsider the motion by which House bill No. 39 failed of passage yesterday.

Agreed to, and the bill placed on general file.

REPORTS OF COMMITTEES.

The Committee on Fisheries made the following report:

MR. PRESIDENT:

Your Committee on Fisheries, to whom was referred Senate bill No. 41, entitled "An act to protect salmon and other food fishes in the State of Washington and upon all waters upon which this state has jurisdiction and concurrent jurisdiction," beg leave respectfully to report that they have considered the same and return it herewith, and recommend its passage with amendments.

C. T. WOODING,
GEO. T. THOMPSON,
B. A. SEABORG.

The Committee on Federal Relations made the following report:

MR. PRESIDENT:

We, your Committee on Federal Relations, recommend that House bill No. 140 (substitute for 100) pass with the following amendment:

By striking out the words "section one" in sixth line and inserting the words "section 1" before the word "that" in the seventh line.

H. E. HOUGHTON,
JOHN T. WHALLEY.

Senator Wood absent.

INTRODUCTION OF BILLS.

By Senator Owings: Senate bill No. 114, An act in relation to the library of the State of Washington.

Rules suspended, read first and second time by title, and referre l to the Committee on State Library.

By Senator Vestal: Senate bill No. 115, An act providing for the election, duties and salaries of county auditors.

Rules suspended, read first and second time, and referred to the Committee on Municipal Corporations.

By Senator Clough: Senate bill No. 116, An act to create a board of regents of the state library, and defining the duties of the same.

Rules suspended, read first and second time by title, and referred to the committee on State Library.

MESSAGES FROM THE HOUSE.

The chief clerk of the House appeared, and announced that the House had passed the following:

Senate memorial No. 16, Relative to a light house and fog signal at Clallam Head.

Also, that the speaker had signed House bill No. 34, Relative to employers furnishing females with seats, which had passed both houses and been reported correctly enrolled.

Also, that the House had concurred in Senate concurrent resolution No. 24, Relative to public printing, with amendments, which are written in the body of the resolution.

Also, that the House had concurred in the amendments made by the Senate to House bill No. 3, Relative to preventing deception in the sale of dairy products.

House bill No. 39 was taken up.

On motion of Senator Parkinson, the words in section 1, "to obtain aid or assistance thereby," were stricken out of the bill.

On motion of Senator Payne, the bill was referred to the Judiciary Committee, to report immediately on its constitutionality, by a divisional vote: Yeas 11, nays 10.

SPECIAL ORDER.

Senate bill No. 26, Relative to company stores, was, on motion of Senator Owings, made a special order for Friday, January 17, 2 P. M.

Senate bill No. 41, An act to protect salmon and other food fishes, etc., was taken up; the amendments of the committee were adopted.

The bill was ordered to be engrossed.

House bill No. 140, a substitute for House bill No. 100, Relative to giving the consent of the state legislature to the purchase and reservation by the United States of lands within this state for public purposes.

The amendment of the committee was adopted, and the bill passed by the following vote:

Yeas: Austin, Clough, Fairweather, Forsyth, Guilfoil, Houghton, Hunsaker, Landes, Lawrence, Long, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Vestal, Watt, Whalley, Wilson, Wolfe, Wooding — 25.

Absent or not voting: Baker, Drum, Fariss, Hyde, Jones, Kinnear, Kneeland, Thompson (L. F.), Van Houten, Wood.

The emergency clause was passed by the following vote:

Yeas: Austin, Clough, Fairweather, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Landes, Lawrence, Long, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Vestal, Watt, Whalley, Wilson, Wolfe, Wooding — 26.

Absent or not voting: Baker, Drum, Hyde, Jones, Kinnear, Kneeland, Thompson (L. F.), Van Houten, Wood.

ENGROSSED BILLS.

The Committee on Engrossed Bills reported as follows:

MR. PRESIDENT:

Your standing Committee on Engrossed Bills beg leave to report that Senate bill No. 53, An act to legalize all deeds and other instruments of writing, heretofore executed for the purpose of conveying real estate, or any interest therein, or which in any manner affect the same, and which have not been attested by the required number of witnesses.

Also, Senate bill No. 65, An act relating to suits against the state, have been carefully compared with the original bills, and found correctly engrossed.

THOS. PAYNE, Chairman,
J. C. LAWRENCE.

SPECIAL ORDER.

Senate concurrent resolution No. 27 was taken up.

Senator Wilson moved to strike out the words, in the sixth line, "and by printing."

Adopted.

The resolution as amended was adopted.

Senate bill No. 53, Relative to the legalization of deeds and other instruments of writing, was amended as follows, on motion of Senator Hunsaker:

Add, after the word "witnesses," the words "and have not the seal of the acknowledging officer attached."

Senator Parkinson in the chair.

Senator Long moved to re-refer the bill to the Judiciary Committee.

Lost.

The bill passed by the following vote:

Yeas: Austin, Clough, Drum, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Landes, Lawrence, Long, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Vestal, Watt, Whalley, Wolfe—23.

Absent or not voting: Baker, Fairweather, Hyde, Jones, Kinnear, Kneeland, Payne, Thompson (L. F.), Van Houten, Wilson, Wood, Wooding.

President in the chair.

On motion of Senator Thompson, (G. T.), the title was amended by adding the words "and not properly sealed."

Senators Fairweather and Thompson were excused from further attendance during the day.

Senate bill No. 65, Relative to suits against the state, was passed by the following vote:

Yeas: Austin, Forsyth, Guilfoil, Houghton, Hunsaker, Landes, Long, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Vestal, Watt, Whalley, Wilson, Wolfe, Wooding—21.

Absent or not voting: Baker Clough, Drum, Fairweather, Fariss, Hyde, Jones, Kinnear, Kneeland, Lawrence, Thompson (G. T.), Thompson (L. F.), Van Houten, Wood.

SPECIAL ORDER.

Senate concurrent resolution No. 26, that no new business shall be received by the legislature after Monday, 27th day of January, 1890, was referred to Committee on Memorials on motion of Senator Hunsaker.

The president gave notice that he was about to sign House bill No. 34, which was done.

Senate joint memorial No. 16 was ordered to be enrolled.

Senate joint resolution No. 24, providing for public printing, passed by the House, was read.

On motion of Senator Owings the resolution was ordered to be returned to the House for correction of history of the resolution.

inasmuch as it did not show that it had been amended in that body.

SPECIAL ORDER.

Senate bill No. 71, 4 P. M., was, on motion of Senator Owings, made a special order for 3 P. M. Wednesday, 15th inst.

On motion of Senator Owings the Senate, at 3:08 P. M., adjourned until 1:30 P. M. to-morrow.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, January 15, 1890.
1:30 o'clock P. M.

Senate called to order pursuant to adjournment; the president in the chair.

Roll called; all present except Senators Baker, Hyde, Jones, Kneeland, Rinehart and Van Houten, all of whom were excused.

Journal of Wednesday read and approved.

The chief clerk of the House appeared and announced that the House had passed House bill No. 139, a substitute presented by the Agricultural Committee for House bills Nos. 5, 16, 54, 60 and 133, "An act to locate the Washington State Agricultural College and School of Science." Also passed the emergency clause therein.

The speaker has also signed Senate bill No. 10, passed by both houses, and the same is returned to the Senate for transmission to the governor.

Senator Kinnear offered a petition from citizens of King county praying for an additional judge in that county in consequence of the large number of civil and criminal cases pending.

Referred to the Judiciary Committee.

The president gave notice that he was about to sign Senate bill No. 39, which was done.

REPORTS OF COMMITTEES.

The Enrolling Committee made the following report:

MR. PRESIDENT:

Your standing Committee on Enrolled Bills begs leave to report that Senate bill No. 39, "An act for the relief of Thomas M. Reed and others,

has been carefully compared with the engrossed copy thereof, and found correctly enrolled. Very respectfully.

J. M. SNOW,
J. HUNSAKER.

The Military Committee made the following reports:

MR. PRESIDENT:

Your Committee on Military, to whom was referred Senate bill No. 27, entitled "An act to prohibit bodies of men other than regular organized militia and troops of the United States from drilling and parading with arms in the state," had the same under consideration, and respectfully report the same back to the Senate with the recommendation that it do pass. Respectfully submitted,

HENRY LANDES, Chairman,
WM. D. WOOD,
H. W. FAIRWEATHER.

OLYMPIA, January 15, 1890.

MR. PRESIDENT:

Your Committee on Military, to whom was reported Senate bill No. 56, entitled "An act to select a site for a Soldiers' and Sailors' Home, etc.," have had the same under consideration, and respectfully report the same back to the Senate with the recommendation that it do pass.

Senate bill No. 15, entitled "An act to establish and maintain a Soldiers' and Sailors' Home in the State of Washington, and making an appropriation for the purchase of land and the construction of the necessary buildings," has had the full consideration of the committee, and is recommended to be indefinitely postponed, it being the belief of the committee that it would be inexpedient at this time to make so large an appropriation as is asked for by the bill.

Senate bill No. 18, entitled "An act to provide for the establishment and maintenance of a home for honorably discharged Union soldiers, sailors and marines, and also members of the state militia disabled while in the line of duty," has also had the full consideration of the committee, and is recommended to be indefinitely postponed for the same reasons as cited in reference to Senate bill No. 15.

HENRY LANDES, Chairman,
H. W. FAIRWEATHER.

The Committee on Municipal Corporations made the following report:

OLYMPIA, WASHINGTON, January 15, 1890.

MR. PRESIDENT:

We, the undersigned Committee on Municipal Corporations, to whom was referred Senate bill No. 5, beg leave to report that the committee has had the same under consideration, and herewith report the same back, and recommend that it pass as amended. Very respectfully,

S. VESTAL,
ALEX. WATT.

The Prison Committee to visit the Walla Walla penitentiary

made a lengthy report, which was ordered to be printed (250 copies), on motion of Senator Owings:

REPORT OF STATE PRISON COMMITTEE.

To the Honorable Senate of the State of Washington:

GENTLEMEN—Pursuant to the resolution adopted by the Senate, your committee visited the penitentiary at Walla Walla on the fifth and sixth of the present month, and made a thorough examination of the premises, and herewith submit our report:

The new cell wing, which was erected through an appropriation by the last territorial legislature, will probably meet all requirements in that direction for several years to come. The cells are constructed entirely of steel, and though not so massive in appearance, are said to be superior in many respects to the old ones, which are constructed largely of iron. The general health of the convicts is good, and from their own statements we conclude that they are served with wholesome food and treated as leniently as wholesome prison discipline will admit. The appropriations for electric light plant, officers and guards, quarters and barn and stable seem to have been judiciously expended, and the one thing lacking to make this a creditable state institution, is suitable and constant employment for the convicts; for while this is not established as a reformatory institution, yet the practice of maintaining them in close solitary confinement is in the highest degree cruel and debasing in its tendencies. In regard to the most practicable and successful system of management and government of the institution, your committee are inclined to believe that it should vest in a superintendent instead of a board of commissioners as at present, and in this view we are strengthened by the unanimous voices of the present commissioners, and by others who have formerly been connected with the institution in this same capacity. Regarding the best means of carrying out the provisions of section twenty-nine of article two of the constitution, your committee have nothing to present which appears more feasible than the proposition of the last territorial legislature for the establishment of a jute mill for the manufacture of burlap and burlap bags. This scheme seems to meet the approval of a large majority of the people with whom we have come in contact, and it is urged in strong resolutions by the Farmers Alliance, and in memorials from mass meetings of citizens. It also recommends itself to your committee as offering the least interference with the occupations of our wage-workers, and while we do not think it probable that the total output of such a plant will supply local demands for wheat sacks and hop cloth, yet by its establishment a certain means will be provided to protect our agriculturalists from being defrauded of many thousand dollars each year through combinations to unduly enhance the price of this class of goods. We therefore recommend that the appropriation asked for in House bill No. 79 be granted for that purpose. Your committee also (with the aid of an expert accountant) subjected the accounts to a thorough examination and find that the apparent discrepancy between the

accounts of the commissioners and the territorial auditor have arisen through the absence of a concerted system in keeping their books. Owing to the large increase in the number of convicts and to the use of a considerable amount for the establishment of the brick business, the earnings of which were paid into the general fund of the territory, the appropriation by the legislature of 1887 and 1888 proved insufficient, and there is a bill now pending in the lower house to cover it. Our attention was also directed to the lack of hospital facilities, and we recommend that a building be erected for that purpose. By this means the rooms now occupied for hospital purposes could be converted into a woman's ward, a necessary adjunct to the institution. This would not necessarily entail much expense upon the state, as the brick for its construction and a large portion of the labor would be furnished by the convicts. Your committee will at an early date submit a bill for your consideration, embodying our views regarding the management and government of the penitentiary.

P. A. PRESTON,
JOHN T. WHALLEY.

INTRODUCTION OF BILLS.

House bill No. 139, a substitute for House bills Nos. 5, 16, 54, 60 and 133 was, on motion of Senator Wilson, referred to the Committee on Education.

By Senator Hunsaker: Senate bill No. 117, An act to amend chapter 141 of the Code of Washington, and to provide for the filing of chattel mortgages instead of recording them.

Rules suspended, read first and second time by title, and referred to the Judiciary Committee.

By Senator Hunsaker: Senate bill No. 118, An act to create a state board of horticulture, and appropriating money therefor, and declaring an emergency to exist.

Rules suspended, read first and second time by title, and referred to the Agricultural Committee.

By Senator Long: Senate bill No. 119, An act to provide for the construction and repairing of drains and ditches for agricultural, sanitary and domestic purposes, and to provide for the organization of drainage districts.

Rules suspended, read first and second time by title and referred to the Committee on Agriculture.

By Senator Clough: Senate bill No. 120, An act prescribing the duties and compensation of the lieutenant-governor, and declaring an emergency to exist.

Rules suspended, read first and second time by title and referred to the Committee on Mileage and Salaries.

Senate joint resolution No. 24, was taken up.

The House amendments were read:

Insert "its entire session" after the words "legislature during," and insert the words "selected by" after the words "same committee."

Upon the question, shall the Senate concur in the amendments, Senators Wilson, Owings, Long, Drum and Seaborg called for the yeas and nays, and the amendments were concurred in by the following vote:

Yeas: Austin, Clough, Drum, Forsyth, Hunsaker, Landes, Lawrence, Long, Owings, Parkinson, Payne, Preston, Seaborg, Snow, Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding—21.

Nays: Fairweather, Fariss, Guilfoil, Houghton, Kinnear, Luce, Thompson (L. F.)—7.

Absent or not voting: Baker, Hyde, Jones, Kneeland, Rinehart, Thompson (G. T.), Van Houten.

Ordered to be enrolled.

SPECIAL ORDERS.

Senate memorial No. 15.

Senator Drum moved to make the memorial a special order for Friday, January 17, at 3 P. M.

Adopted.

Senator Fairweather in the chair.

Senate bill No. 27 was, on motion of Senator Owings, made a special order for Monday, January 20, at 3 P. M.

Senate bill No. 56, To select a site for a Soldiers' and Sailors' Home, was amended by inserting the words "and marines" after "sailors," and omitting the word "and" before "sailors" wherever it occurs in the bill. In section 2 strike out all after the word "ability," on motion of Senator Wood.

The president in the chair.

On motion of Senator Houghton, the word "eighty" was stricken out of section 2, and the word "five" inserted.

On motion of Senator Houghton, the word "secure" was stricken out and the word "receive" substituted.

On motion of Senator Owings, the following was added to section 5.

"*Provided*, That nothing in this act shall be so construed as to

bind the state to any locality selected by said commission or any appropriation of money therefor."

On motion of Senators Kinnear and Long, the following was made section 7:

"Members of the state militia and volunteers who served in the Indian war in this state, disabled while in the line of duty, shall be admitted to such home on the same terms as soldiers, sailors and marines."

Section 7 of the bill was made section 8.

The bill was sent to the Engrossing Committee.

Senate bill No. 71 was amended as follows, in accordance with the report of the committee:

First amendment: Page 1, section 1, subdivision 5, last line, strike out the words "legislative assembly" and insert the word "legislature" in place thereof; also, page 2, subdivision 10, strike out at end thereof the words "in this act" and insert the words "by law."

Second amendment: Page 1, section 1, subdivision 6, last line, strike out the words "legislative assembly" and insert the word "legislature" in place thereof.

Third amendment: Page 3, section 3, line 2, strike out the words "legislative assembly" and insert the word "legislature" in place thereof.

The Senate, on motion of Senator Kinnear, went into the committee of the whole.

Senator Thompson, (G. T.), in the chair.

The committee arose and reported the bill, with amendments as follows:

The president in the chair.

Add a new section 7. "In case the governor absents himself from the state he shall, prior to such departure from the state, notify the lieutenant-governor of such proposed absence, and during such absence of the governor from the state, the lieutenant-governor shall perform all the duties of the governor."

Change the number of present section 7 to read "section 8."

The amendments were adopted.

Senator Hunsaker moved to amend section 2 by adding, after the word "application," the words "and list of pardons made."

Adopted.

On motion of Senator Long, the title was amended by adding, after the word "governor," the words "and making an appropriation for the office, and declaring an emergency."

The bill was referred to the Engrossing Committee.

Senate bills Nos. 15 and 18, were indefinitely postponed.

The Committee on Enrolled Bills reported as follows:

MR. PRESIDENT:

Your standing Committee on Enrolled Bills beg leave to report that Senate joint memorial No. 16, Relative to a light house and fog signal at Clallam Head, has been carefully compared with the engrossed copy thereof, and found correctly enrolled. Very respectfully,

J. M. SNOW.
J. HUNSAKER.

The president announced that he was about to sign Senate joint memorial No. 16, which was done.

The Committee on Engrossed Bills reported Senate bill No. 41, as follows:

MR. PRESIDENT:

Your standing Committee on Engrossed Bills beg leave to report that Senate bill No. 41, entitled "An act to protect salmon and other food fishes in the State of Washington, and upon all waters upon which this state has jurisdiction and concurrent jurisdiction," has been carefully compared with the original, and found correctly engrossed.

Yours respectfully,

THOS. PAYNE, Chairman,
J. C. LAWRENCE.

Senate bill No. 41 was then passed by the following vote:

Yeas: Austin, Clough, Drum, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Kinnear, Kneeland, Landes, Lawrence, Long, Luce, Owings, Parkinson, Payne, Preston, Seaborg, Snow, Thompson (L. F.), Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding —28.

Absent or not voting: Baker, Fairweather, Hyde, Jones, Rinehart, Thompson (G. T.), Van Houten.

SPECIAL ORDER.

Senate bill No. 5 was, on motion of Senator Owings, made a special order for Thursday, January 23d, at 2 P. M.

On motion of Senator Kinnear, Senate bill No. 16 was taken up, and re-referred to the Judiciary Committee.

On motion of Senator Kinnear, the Senate adjourned, at 4 P. M., until 1:30 P. M. to-morrow.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, January 16, 1890.
1:30 o'clock P. M.

Senate called to order, pursuant to adjournment; the president in the chair.

Roll called; all present, except Senators Baker, Hyde, Jones, Luce, Rinehart, Thompson (L. F.) and Van Houten, all of whom were excused.

Assistant Secretary Romaine was excused on account of illness.

Journal of yesterday read and approved.

The chief clerk of the House appeared and announced that the House had passed House bill No. 74, An act providing for the completion and furnishing of the Medical Lake Hospital for Insane, and appropriating $100,000 therefor.

Also, passed House bill No. 104, An act to require railroad companies to build and maintain connections from one railroad to another, and providing a penalty.

Also, passed Senate memorial No. 12, Relative to surveying certain lands.

Also, passed Senate memorial No. 19 (a substitute for Senate memorial No. 6), Relative to subsidizing steamship lines.

The House has also concurred in the amendments made in the Senate to House bill No. 140.

The speaker has signed House bill No. 3, In relation to frauds in dairy products, which has passed both houses, and been reported correctly enrolled.

The House has also passed House bill No. 25, A bill for an act to establish a Normal School for the State of Washington at the town of Lynden, and for the government, management and control of the same.

MEMORIALS.

By Senator Landes: Senate joint memorial No. 20, Praying congress of the United States for the erection and armament of defensive works on Puget Sound.

Rules suspended, read first and second time by title, rules suspended, read third time, and passed unanimously, as follows:

Yeas: Austin, Clough, Drum, Fairweather, Fariss, Forsyth,

Houghton, Hunsaker, Kinnear, Landes, Lawrence, Long, Owings, Parkinson, Payne, Preston, Seaborg, Snow, Thompson (G. T.), Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding—26.

Absent or not voting: Baker, Guilfoil, Hyde, Jones, Kneeland, Luce, Rinehart, Thompson (L. F.), Van Houten.

By Senator Kneeland: Memorializing congress relative to a United States naval station.

Rules suspended, read first and second time by title, and referred to the Committee on Memorials.

Senators L. F. Thompson and Luce were excused indefinitely.

REPORTS OF COMMITTEES.

The following committee reports were read:

MR. PRESIDENT:

Your Committee on Commerce, to whom was referred House bill No. 138, entitled "An act to regulate the voluntary sending of newspapers," have had the same under consideration, and return it with recommendation that it do pass.

B. A. SEABORG,
J. HUNSAKER.
Committee on Commerce.

To the President of the Senate:

Your Committee on Salaries and Mileage have had under consideration Senate bill No. 120, and beg leave to report the same back to your honorable body with the recommendation that it do pass.

H. H. WOLFE.
S. B. CLOUGH,
C. E. FORSYTH,
Committee on Salaries and Mileage.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 77, entitled "An act to authorize and provide for attorney's fees in certain cases," have had the same under consideration and now respectfully report the same back to the Senate with the following amendments, and, as amended, recommend the passage of the bill:

First amendment: In line 1, insert the words "section one."

Second amendment: In line 3, strike out the words "with a felony," and insert in place thereof the words "by indictment or information with a criminal offense."

Third amendment: In line 5, after the word "fee," insert the words "not to exceed fifteen dollars per day."

Respectfully submitted, J. R. KINNEAR, Chairman.

Report concurred in by Senators Wood, Payne, Whalley and Houghton, other members of the committee being absent.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred House bill No. 130, entitled "A bill to authorize the appointment of commissioners of deeds," have had the same under consideration, and now respectfully report the same back to the Senate with the following amendments, and, as amended, recommend its passage:

First amendment: Add to section 2, after the words "secretary of state," the following: "and shall provide and keep an official seal, upon which must be engraved the words 'Commissioner of Deeds for the State of Washington,' and the name of the state or territory for which he is commissioned, with the date at which his commission expires, and shall pay into the state treasury the sum of five dollars for the special library fund." Respectfully submitted, J. R. KINNEAR, Chairman.

Report concurred in by Senators Houghton, Whalley, Wood, Payne and Thompson. Other members absent.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 81, entitled "An act concerning official bonds," have had the same under consideration, and now respectfully report the same back to the Senate with the following amendments, and, as amended, recommend the passage of the bill:

First amendment: Page 2, section 5, line 10, after the words "county commissioners," insert the words "if in session, and if not in session, by the chairman of such board."

Respectfully submitted, J. R. KINNEAR, Chairman.

Report concurred in by Senators Wood, Payne, Whalley and Houghton, being all the members of said committee present.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred House bill No. 126, entitled "A bill, an act repealing sections 1, 2, 3 and 4 of an act fixing compensation of auditor of Lewis county as contained in the laws of 1883 of Washington Territory, and declaring an emergency to exist," have had the same under consideration and now respectfully report the same back to the Senate with the recommendation that the bill pass.

Your Committee on Judiciary to whom was referred House bill No. 39, entitled "A bill for an act to prevent persons using or wearing the badge of the Grand Army of the Republic of this state," have had the same under consideration, and now respectfully report the same back to the Senate with its amendments, and recommend the passage of the bill with its amendments.

Your Committee on Judiciary, to whom was referred Senate bill No. 104, entitled "An act prescribing the manner of payment of the expenses of the first Legislature of the State of Washington," have had the same under consideration and now respectfully report the same back to the Senate with the recommendation that the bill pass with the following amendments:

First amendment: In 4th line of section 2, after the word "officers" insert the words "and for which an appropriation has been made."

Second amendment: In 4th line of section 3, after the word "officers" insert the words "and for which an appropriation has been made."

Your Committee on Judiciary, to whom was referred Senate bill No. 91, entitled "An act to amend section 26 of the Code of the Territory of Washington," have had the same under consideration, and now respectfully recommend the same back to the Senate with the recommendation that the same be indefinitely postponed.

Respectfully submitted,

J. R. KINNEAR, Chairman.

Report concurred in by Senators Houghton, Wood, Payne and Whalley, the other members of the committee being absent.

Your Committee on Revenue and Taxation, to whom was referred House bill No. 32, An act providing for the payment of certain expenses of, and the manner in which the salaries of, the judges of the supreme and superior courts shall be paid, having had the same under consideration, report back with the recommendation that it do pass.

H. W. FAIRWEATHER,
H. LANDES,
J. H. LONG,
HENRY DRUM,
E. T. WILSON,
S. VESTAL,
C. T. WOODING,
J. HUNSAKER.

Your Committee on Revenue and Taxation, to whom was referred House bill No. 148, An act to provide for the payment of the incidental expenses of the legislature of the State of Washington, having had the same under consideration, report the bill back and recommend that it do pass.

H. W. FAIRWEATHER,
J. H. LONG,
S. VESTAL,
C. T. WOODING,
HENRY DRUM,
E. T. WILSON,
H. LANDES,
J. HUNSAKER.

Your Committee on Revenue and Taxation, to whom was referred Senate bill No. 80, An act to amend an act entitled "An act to amend section 2752 of the Code of Washington, relating to assessors," having had the same under consideration, report it back and recommend that it do pass.

H. W. FAIRWEATHER,
H. LANDES,
HENRY DRUM,
J. HUNSAKER,
J. H. LONG,
E. T. WILSON,
S. VESTAL,
C. T. WOODING.

To the President and Members of the Senate of the State of Washington:

GENTLEMEN—Your Committee on Education, to whom was referred Senate bill No. 12, A bill for an act to establish a State Normal School, have duly considered the same and beg leave to submit the following report, to wit:

First, Your committee recommend that section eleven (11) of said bill be amended by striking out the sixth word in the fourth (4) line, viz.: The word "appointed" and inserting the word "apportioned" in its stead.

Second, That said section eleven (11) be further amended by striking out the words "third grade" after the fourth word in the seventeenth line of said section.

Third, That said bill be further amended by striking out sections eighteen (18), nineteen (19) and twenty-one (21).

Your committee further recommend that said bill, as amended, do pass.

Respectfully submitted,

J. C. LAWRENCE, Chairman,
W. J. PARKINSON,
HENRY DRUM.

Your Committee on Revenue and Taxation, to whom was referred Senate bill No. 94, An act to encourage the destruction of blue jays, having carefully considered the same, report the bill back with the recommendation that it be indefinitely postponed.

H. W. FAIRWEATHER,
H. DRUM,
J. H. LONG,
E. T. WILSON,
J. HUNSAKER,
C. T. WOODING,
S. VESTAL,
H. LANDES.

House bill No. 25: Rules suspended, read first and second time by title, and referred to the Committee on Education, on motion of Senator Wilson.

House bill No. 104: Rules suspended, read first and second time by title, and referred to the Committee on Corporations, on motion of Senator Houghton.

Senate memorial No. 12 was sent to the Enrolling Committee for enrollment.

Senate memorial No. 19, same action.

INTRODUCTION OF BILLS.

By Senator Clough: Senate bill No. 121, An act to provide for the compulsory education of defective youth, and providing penalties for violations of the same.

Rules suspended, read first and second time by title, and referred to the Committee on Education.

By Senator Vestal: Senate bill No. 122, An act to provide for taking territory from one county and adding it to and making it a part of another county.

Rules suspended, read first and second time by title, and referred to Committee on County and County Boundaries.

The president announced that he was about to sign House bill No. 3, which was done; Senator Drum in the chair.

House bill No. 138, An act to regulate the voluntary sending of newspapers, was passed by the following vote:

Yeas: Austin, Clough, Drum, Fariss, Forsyth, Houghton, Hunsaker, Kneeland, Landes, Lawrence, Long, Owings, Payne, Preston, Seaborg, Snow, Vestal, Watt, Wilson, Wolfe, Wood, Wooding — 22.

Nays: Whalley — 1.

Absent or not voting: Baker, Fairweather, Guilfoil, Hyde, Jones, Kinnear, Luce, Parkinson, Rinehart, Thompson (G. T.), Thompson (L. F.), Van Houten.

Senator Long moved to amend Senate bill No. 120, to strike out the last paragraph of section 2.

Upon this motion Senators Long, Wilson, Wood, Austin, Whalley and Owings called for the yeas and nays, which resulted as follows:

Yeas: Forsyth, Hunsaker, Kneeland, Lawrence, Long, Preston, Vestal, Watt, Whalley, Wilson — 10.

Nays: Austin, Clough, Drum, Fariss, Houghton, Landes, Owings, Parkinson, Seaborg, Snow, Wolfe, Wood, Wooding — 13.

Absent or not voting: Baker, Fairweather, Guilfoil, Hyde, Jones, Kinnear, Luce, Payne, Rinehart, Thompson (G. T.), Thompson (L. F.), Van Houten.

Senator Whalley moved to strike out section 2.

Lost by a divisional vote: Yeas 5, nays 15.

On the final passage of the bill, the bill was lost as follows:

Yeas: Austin, Clough, Drum, Fariss, Forsyth, Houghton, Hunsaker, Landes, Parkinson, Seaborg, Snow, Wolfe, Wood, Wooding — 14.

Nays: Kneeland, Long, Owings, Vestal, Watt, Whalley, Wilson — 7.

Absent or not voting: Baker, Fairweather, Guilfoil, Hyde, Jones,

Kinnear, Lawrence, Luce, Payne, Preston, Rinehart, Thompson (G. T.), Thompson (L. F.), Van Houten.

Senators Fariss and Houghton both gave notice that they would enter a motion to reconsider the vote, by which the bill was lost, to-morrow.

Senator Kinnear was excused for the afternoon.

Senate bill No. 77: The amendments of the committee were adopted, and on motion of Senator Houghton, the word "appointed" was made to read "appointing."

The bill was passed by the following vote:

Yeas: Clough, Drum, Fariss, Forsyth, Houghton, Hunsaker, Kneeland, Lawrence, Long, Parkinson, Payne, Preston, Seaborg, Snow, Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding —21.

Nays: Owings, Thompson (G. T.)—2.

Absent or not voting: Austin, Baker, Fairweather, Guilfoil, Hyde, Jones, Kinnear, Landes, Luce, Rinehart, Thompson (L. F.), Van Houten.

The bill was ordered to be engrossed.

House bill No. 130: The amendments recommended by the committee were adopted.

Senator Owings moved to amend by adding after the words "before any" in section 2 the words "clerk of a court of record," to strike out "justice of the peace" and to insert after the words "or other officer" the words "having an official seal."

Adopted.

On motion of Senator Lawrence the word "state" was inserted between "special" and "library" in section 2.

On motion of Senator Wood the words "his name and" were inserted between the "engraved" and "the" in section 2.

On the final passage of the bill the vote was as follows:

Yeas: Clough, Drum, Forsyth, Houghton, Hunsaker, Kneeland, Landes, Lawrence, Long, Owings, Parkinson, Payne, Preston, Seaborg, Vestal, Whalley, Wolfe, Wood, Wooding—19.

Absent or not voting: Austin, Baker, Fairweather, Fariss, Guilfoil, Hyde, Jones, Kinnear, Luce, Rinehart, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Watt, Wilson.

On motion of Senator Houghton, the vote on the emergency clause of House bill No. 130 was made a special order for Friday, 17th inst., at 2:30 o'clock.

Senate bill No. 81: The amendment of the committee was adopted.

On motion of Senator Drum, the words "auditor or" were inserted between the words "county recorder," in section 5.

The bill was ordered to be engrossed.

Senator Parkinson in the chair.

House bill No. 126 was passed by the following vote:

Yeas; Austin, Clough, Drum, Fairweather, Fariss, Forsyth, Houghton, Hunsaker, Kneeland, Landes, Lawrence, Long, Owings, Parkinson, Payne, Preston, Seaborg, Snow, Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding — 25.

Absent or not voting: Baker, Guilfoil, Hyde, Jones, Kinnear, Luce, Rinehart, Thompson (G. T.), Thompson (L. F.), Van Houten.

Senator Owings and others demanded a call of the house. The following named Senators responded:

Present: Austin, Clough, Drum, Fariss, Forsyth, Houghton, Hunsaker, Kneeland, Landes, Lawrence, Long, Owings, Parkinson, Payne, Preston, Seaborg, Snow, Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding — 24.

Absent: Baker, Fairweather, Guilfoil, Hyde, Jones, Kinnear, Luce, Rinehart, Thompson (G. T.), Thompson (L. F.), Van Houten — 11.

The sergeant-at-arms was instructed to bring in absent members.

On motion of Senator Long, the proceedings under the call were dispensed with.

The emergency clause of the bill was passed by the following vote:

Yeas: Austin, Clough, Drum, Fairweather, Fariss, Forsyth, Houghton, Hunsaker, Kneeland, Landes, Lawrence, Long, Owings, Parkinson, Payne, Preston, Seaborg, Snow, Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding — 24.

Absent or not voting: Baker, Guilfoil, Hyde, Jones, Kinnear, Luce, Rinehart, Thompson (G. T.), Thompson (L. F.), Van Houten.

Senator Van Houten was excused indefinitely, on account of sickness, on motion of Senator Wilson.

Senator Wood in the chair.

House bill No. 39: The report of the Judiciary Committee was,

on motion of Senator Lawrence, adopted, and the bill passed by the following vote:

Yeas: Austin, Clough, Fairweather, Forsyth, Houghton, Hunsaker, Kneeland, Landes, Lawrence, Owings, Parkinson, Payne, Preston, Seaborg, Snow, Watt, Whalley, Wilson, Wolfe, Wood, Wooding—21.

Absent or not voting: Baker, Drum, Fariss, Guilfoil, Hyde, Jones, Kinnear, Long, Luce, Rinehart, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal.

Senate bill No. 104 was, on motion of Senator Houghton, laid on table subject to call.

Senate bill No. 91: Senator Whalley moved to adopt the report of the committee. Agreed to, and the bill was indefinitely postponed.

House bill No. 32, passed by the following vote:

Yeas: Austin, Clough, Fairweather, Forsyth, Houghton, Hunsaker, Kneeland, Landes, Lawrence, Owings, Parkinson, Payne, Preston, Seaborg, Snow, Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding—22.

Absent or not voting: Baker, Drum, Fariss, Guilfoil, Hyde, Jones, Kinnear, Long, Luce, Rinehart, Thompson (G. T.), Thompson (L. F.), Van Houten.

The emergency clause was passed by the following vote:

Yeas: Austin, Clough, Fairweather, Fariss, Forsyth, Houghton, Hunsaker, Kneeland, Landes, Lawrence, Owings, Parkinson, Payne, Preston, Seaborg, Snow, Thompson (G. T.), Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding—24.

Absent or not voting: Baker, Drum, Guilfoil, Hyde, Jones, Kinnear, Long, Luce, Rinehart, Thompson (L. F.), Van Houten.

Senator Parkinson in the chair.

On motion of Senator Houghton, the title was amended by adding to it "and declaring an emergency."

House bill No. 148 passed by the following vote:

Yeas: Austin, Clough, Fairweather, Fariss, Forsyth, Houghton, Hunsaker, Kneeland, Landes, Lawrence, Owings, Parkinson, Payne, Preston, Seaborg, Snow, Thompson (G. T.), Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding—24.

Absent or not voting: Baker, Drum, Guilfoil, Hyde, Jones, Kinnear, Long, Luce, Rinehart, Thompson (L. F.), Van Houten.

The emergency clause was passed by the following vote:

Yeas: Austin, Clough, Fairweather, Fariss, Forsyth, Houghton, Hunsaker, Kneeland, Landes, Lawrence, Owings, Parkinson, Payne, Preston, Seaborg, Snow, Thompson (G. T.), Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding — 24.

Absent or not voting: Baker, Drum, Guilfoil, Hyde, Jones, Kinnear, Long, Luce, Rinehart, Thompson (L. F.), Van Houten.

On motion of Senator Lawrence, the title was amended by adding, at the end, "and declaring an emergency."

President in the chair.

Senate bill No. 80 was passed by the following vote:

Yeas: Austin, Clough, Drum, Fairweather, Fariss, Forsyth, Houghton, Hunsaker, Kneeland, Landes, Long, Owings, Parkinson, Payne, Preston, Seaborg, Snow, Thompson (G. T.), Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding — 25.

Absent or not voting: Baker, Guilfoil, Hyde, Jones, Kinnear, Lawrence, Luce, Rinehart, Thompson (L. F.), Van Houten.

Senate bill No. 12 was, on motion of Senator Wilson, made a special order for Tuesday, January 28th, 2 P. M.

Senate bill No. 94: The report of the committee was lost; yeas 11, nays 12 (divisional vote).

On motion of Senator Wilson, the words "scalps or" were stricken out in section 1.

Senator Long moved to add after the words "blue jays," in section 1, the words "woodpeckers, sapsuckers, chipmunks, pine squirrels and cherry birds."

Adopted.

On motion of Senator Whalley, the bill was ordered to be sent to the Committee on Agriculture.

On motion of Senator Owings, the Senate adjourned, at 5:30 P. M., until 1:30 P. M. to-morrow.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, January 17, 1890.
1:30 o'clock P. M.

Senate called to order, pursuant to adjournment; the president in the chair.

Roll called; all present except Senators Baker, Fairweather, Hyde, Kinnear, Rinehart, Thompson (L. F.), Van Houten and Wooding, all of whom were excused.

Journal of yesterday read and approved.

The chief clerk of the House appeared and announced that the House had passed House memorial No. 12, Relating to the opening of land in Douglass county.

The speaker has signed House memorial No. 9, In relation to the Puyallup Indian reservation, which passed both houses, and been reported correctly enrolled, and is transmitted herewith for the signature of the president.

The House has also passed House bill No. 78, Providing for a code commissioner, but failed to pass the emergency clause contained therein, and the same is transmitted herewith for the action of the Senate.

The speaker has signed Senate bill No. 39, passed both houses, and the same is herewith returned for transmission to the governor.

Senator Austin offered the following:

To the Honorable the President and Senate of the State of Washington:

Be it resolved, That in consideration of the fact the House Committee on State Tide Lands have decided to accompany the Senate committee on their trip of investigation, and in view of said committee being very large (consisting of eighteen members), and believing the work coming before such committee would be expedited by having a proper officer to secure necessary accommodations for said committee in way of rooms, etc., and to summons persons to appear before said committee at proper times; therefore be it

Resolved, That the sergeant-at-arms of the Senate is hereby instructed to accompany said committee on said trip.

C. G. AUSTIN, Chairman.

Lost by a divisional vote. Yeas 9, nays 13.

Senator Long offered the following, which was adopted by a divisional vote. Yeas 15, nays 4.

Resolved by the Senate, That the Committee on Tide Lands shall be allowed for mileage while in the performance of their duty not exceeding one hundred dollars to each member of the Senate committee only, under the Senate resolution. Said mileage shall be computed as mileage now allowed under the constitution to members of the legislature, and no other expenses shall be allowed.

Senator Kneeland moved that Senator Parkinson, of the Harbor Lines Committee, be instructed to accompany the Tide Lands Committee.

Adopted.

Senator Preston offered a petition from residents of Walla Walla, for the establishment of a jute factory at Walla Walla.

Referred to the Committee on State Prison.

Senator Parkinson in the chair.

Senator Houghton moved to suspend the rules relative to Senate bill No. 120.

Senator Wilson raised the point of order that the Senator had not voted on that side which prevailed, in accordance with rule 28 of the Senate.

Senator Houghton raised the point of order that the motion should be reconsidered on the second day and not next day, in accordance with rule 28 of Senate rules.

The chair decided the latter point well taken.

The motion to suspend the rules was adopted by the following vote:

Yeas: Austin, Clough, Fariss, Forsyth, Guilfoil, Houghton, Jones, Kneeland, Landes, Lawrence, Luce, Owings, Parkinson, Payne, Preston, Seaborg, Snow, Thompson (G. T.), Vestal, Wood —20.

Nays: Hunsaker, Long, Watt, Whalley, Wilson, Wolfe —6.

Absent or not voting: Baker, Drum, Fairweather, Hyde, Kinnear, Rinehart, Thompson (L. F.), Van Houten, Wooding.

Senator Houghton moved to reconsider the vote by which Senate bill No. 120 was lost.

Adopted.

Senator Houghton moved that Senate bill No. 120 be made a special order for January 31st, at 2 P. M.

On the question, the yeas and nays were called by Senators Long, Kneeland, Thompson, Fariss, Whalley and Lawrence.

The vote was as follows:

Yeas: Austin, Clough, Drum, Fariss, Forsyth, Guilfoil, Jones,

Kneeland, Landes, Lawrence, Luce, Owings, Parkinson, Seaborg, Snow, Thompson (G. T.), Wood — 17.

Nays: Hunsaker, Long, Payne, Preston, Vestal, Watt, Whalley, Wilson, Wolfe — 9.

Absent or not voting: Baker, Fairweather, Houghton, Hyde, Kinnear, Rinehart, Thompson (L. F.), Van Houten, Wooding.

The president in the chair.

The chair decided that the motion was lost; that it took a two-third vote to make a special order.

On motion of Senator Jones, Senate bill No. 26 was made a special order for January 28th, 2:30 P. M.

Senator Wood moved that when the Senate adjourn to-day it adjourn until Monday at 2 o'clock.

Adopted.

Senator Wood was excused from attendance for the rest of the day.

Senator Parkinson in the chair.

SPECIAL ORDER.

The vote on the emergency clause of House bill No. 130 was taken, and resulted as follows:

Yeas: Austin, Clough, Drum, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Kneeland, Landes, Lawrence, Long, Luce, Owings, Parkinson, Payne, Preston, Seaborg, Snow, Thompson (G. T.), Vestal, Whalley, Wilson, Wolfe, Wood — 26.

Absent or not voting: Baker, Fairweather, Hyde, Kinnear, Rinehart, Thompson (L. F.), Van Houten, Watt, Wooding.

Passed.

Senate bill No. 120 was then read. Senator Wilson moved to strike out of section 2 the following: "The lieutenant governor shall also perform such other and *ex-officio* duties, and receive such compensation for same as may be provided by law."

Adopted.

The bill passed by the following vote:

Yeas: Austin, Clough, Drum, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Kneeland, Landes, Lawrence, Long, Luce, Owings, Parkinson, Payne, Preston, Seaborg, Snow, Thompson (G. T.), Vestal, Watt, Whalley, Wilson, Wolfe, Wood — 27.

Absent or not voting: Baker, Fairweather, Hyde, Kinnear, Rinehart, Thompson (L. F.), Van Houten, Wooding.

The emergency clause passed as follows:

Yeas: Austin, Clough, Drum, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Kneeland, Landes, Lawrence, Long, Luce, Owings, Parkinson, Payne, Preston, Seaborg, Snow, Thompson (G. T.), Vestal, Watt, Whalley, Wilson, Wolfe, Wood—27.

Absent or not voting: Baker, Fairweather, Hyde, Kinnear, Rinehart, Thompson (L. F.), Van Houten, Wooding.

President in the chair.

SPECIAL ORDER.

Senate memorial No. 15 was taken up.

Senators Landes and Long were excused for the rest of the day.

Senator Landes moved to make it a special order for January 28th, 3 P. M.

Lost.

Senate memorial No. 15 was then passed by the following vote:

Yeas: Austin, Clough, Drum, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Lawrence, Luce, Owings, Parkinson, Payne, Preston, Seaborg, Snow, Thompson (G. T.), Vestal, Watt, Wilson, Wolfe—22.

Nays: Kneeland, Whalley—2.

Absent or not voting: Baker, Fairweather, Hyde, Kinnear, Landes, Long, Rinehart, Thompson (L. F.), Van Houten, Wood, Wooding.

Senator Thompson offered Senate concurrent resolution No. 28, Relative to International exhibition of 1892, and instructing our Senators and Representatives in congress to vote for Chicago.

Adopted.

The president announced that he was about to sign House memorial No. 9, which was done.

Senator Drum moved to re-consider the motion by which the resolution of Senator Austin, relative to the sergeant-at-arms accompanying the Tide Lands Committee, was lost.

Senator Lawrence moved to strike out of the resolution the words "and to summon persons to appear before said committee at the proper time."

Adopted.

The motion of Senator Drum to re-consider was adopted by divisional vote of yeas 10, nays 6, and the resolution was adopted.

SPECIAL ORDER.

Senator Whalley moved that Senate bill No. 45 be made a special order for Wednesday, January 29th, at 2 P. M.

Adopted.

The Engrossing Committee made the following report:

MR. PRESIDENT:

Your standing Committee on Engrossed Bills beg leave to report that Senate bill No. 56, entitled "An act to select a site for a Soldiers', Sailors' and Marines' Home, and appointing a commission therefor, has been carefully compared with the original and found correctly engrossed.

Very respectfully,

THOS. PAYNE, Chairman.
J. C. LAWRENCE.

The Enrolling Committee reported as follows:

MR. PRESIDENT:

Your standing Committee on Enrolled Bills beg leave to report that Senate joint resolution No. 24, Providing for public printing, has been carefully compared with the engrossed copy thereof, and found correctly enrolled.

Very respectfully,

J. M. SNOW, Chairman.
J. HUNSAKER.

The president announced that he was about to sign Senate joint resolution No. 24, which was done.

The Enrolling Committee made the following report.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills beg leave to report Senate memorial No. 12, Praying congress for an appropriation to survey certain lands; also, Senate memorial No. 19, substitute for Senate memorial No. 6, Relative to subsidizing steamship lines, have been carefully compared with the engrossed copies thereof and found correctly enrolled.

Very respectfully,

J. M. SNOW, Chairman.
J. HUNSAKER.

The president announced that he was about to sign Senate memorials Nos. 12 and 19, which was done.

The State Prison Committee made the following report:

To the Honorable Senate of the State of Washington:

Your committee to whom was referred House bill No. 79, An act to provide for the necessary plant for the manufacture of grain sacks at the penitentiary at Walla Walla, have had the same under consideration, and ask that the enacting clause be amended by striking out the words "legislative assembly," and insert "legislature" in lieu thereof; also, that the

title be amended by adding thereto "and making an appropriation therefor."

We recommend that the bill do pass without further amendment, the other members of the committee being absent.

P. A. PRESTON,
JOHN T. WHALLEY,
J. H. JONES.

House memorial No. 12: On motion of Senator Houghton, rules suspended, read first and second time by title, and referred to the Committee on Memorials.

House bill No. 78: On motion of Senator Houghton, rules suspended, read first and second time by title.

Senator Houghton moved it be referred to the Committee on Judiciary.

Senator Drum moved to amend to refer to the Committee on Public Revenue and Taxation.

The amendment was agreed to by a divisional vote: Yeas 9, nays 8.

By Senator Drum: Senate bill No. 123, An act granting to railroad corporations the right-of-way through certain public lands of the State of Washington, and to safely secure to the state full market value of such right-of-way, and declaring an emergency to exist.

Rules suspended, read first and second time by title, and referred to the Committee on Corporations.

By Senator Drum: Senate bill No. 124, For the appointment of a police matron in cities of the State of Washington containing a population of 10,000 and upwards, and declaring an emergency to exist.

Rules suspended, read first and second time by title, and referred to the Committee on Public Morals.

Senate bill No. 56 was, on motion of Senator Drum, made a special order for Friday, January 31st, at 2:30 P. M.

On motion of Senator Houghton, House bill No. 74, which was read first and second time by title under suspension of the rules, was referred to the committee of the whole for special order Friday, January 24th, at 2 P. M.

House bill No. 79: The amendments of the committee were adopted, and, on motion of Senator Drum, the bill was made a special order for Thursday, January 30th, at 2 P. M.

On motion of Senator Wilson, the Senate adjourned, at 4:45 P. M., until 2 P. M. on Monday, January 30th.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, January 20, 1809.
2 o'clock P. M.

Senate called to order, pursuant to adjournment, by the secretary, the president and president pro tem. being absent.

On motion of Senator Owings, Senator Watt was elected president pro tem.

Roll called; 17 senators present, 18 absent, as follows: Austin, Baker, Clough, Drum, Fairweather, Fariss, Hunsaker, Kinnear, Kneeland, Landes, Luce, Parkinson, Preston, Snow, Thompson (G. T.), Vestal, Wilson, Wooding.

Messrs. Fairweather and Fariss were reported sick.

Messrs. Austin, Kneeland, Landes, Luce, Parkinson, Snow, Van Houten and Wooding were absent with leave, being on public duties.

On motion of Senator Long, a call of the Senate was had.

On motion of Senator Long, the Senate took a recess until 2:30 P. M., and the sergeant-at-arms was instructed to bring in all absent members.

At 2:30 the Senate was called to order and the roll called.

Senator Watt in the chair.

All present except Senators Austin, Baker, Drum, Fairweather, Fariss, Hunsaker, Kinnear, Kneeland, Landes, Luce, Parkinson, Preston, Snow, Thompson (G. T.), Vestal, Wooding.

A quorum present.

Senator Drum was excused until Wednesday.

Senator Thompson (G. T.), was excused.

Senator Kinnear was indefinitely excused in consequence of sickness.

The other absentees were excused.

On motion of Senator Long, further proceedings under the call of the Senate was dispensed with.

Senator Payne offered Senate joint memorial No. 22, Praying

congress to appropriate $100,000 for the improvement of the Skagit river.

Rules suspended, read first and second times by title; rules further suspended, on motion of Senator Payne, and the memorial passed by the following vote:

Yeas: Clough, Forsyth, Guilfoil, Houghton, Hyde, Jones, Lawrence, Owings, Payne, Rinehart, Seaborg, Thompson (L. F.), Van Houten, Watt, Whalley, Wilson, Wolfe, Wood — 18.

Absent or not voting: Austin, Baker, Drum, Fairweather, Fariss, Hunsaker, Kinnear, Kneeland, Landes, Long, Luce, Parkinson, Preston, Snow, Thompson (G. T.), Vestal, Wooding.

Senator Rinehart offered a number of petitions and letters from citizens of Seattle and King county, asking for two additional judges for that county.

Referred to the Judiciary Committee.

The Engrossing Committee reported as follows:

MR. PRESIDENT:

Your standing Committee on Engrossed Bills beg leave to report Senate bill No. 71, entitled "An act relating to the duties of the governor, and making an appropriation for the office, and declaring an emergency," and Senate bill No. 77, entitled "An act to authorize and provide for attorney's fees in certain cases," also Senate bill No. 81, entitled "An act concerning official bonds," have been carefully compared with the originals and found correctly engrossed. Very respectfully,

THOS. PAYNE, Chairman,
J. C. LAWRENCE.

The Committee on Memorials reported as follows:

MR. PRESIDENT:

Your Committee on Memorials, to whom was referred House memorial No. 12, herewith return same with the recommendation that it do pass.

C. E. FORSYTH,
W. V. RINEHART,
B. A. SEABORG.

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT.
OLYMPIA, January 20th, 1890.

To the Honorable President of the Senate:

I have this day signed and approved Senate bill No. 39, entitled "An act for the relief of Thomas M. Reed, Robert Frost and H. B. McElroy."

ELISHA P. FERRY.

Senate bill No. 71 was taken up and the Senate went into committee of the whole, Senator Long in the chair.

The committee arose and reported the bill without amendments, and, on motion of Senator Payne, it was made a special order for Thursday, January 30th, at 2:30 P. M.

Senate bill No. 77, reported correctly engrossed, having been passed January 16th, was sent to the House.

Senate bill No. 81, reported correctly engrossed, was read a third time, and passed by the following vote:

Yeas: Clough, Forsyth, Guilfoil, Houghton, Hyde, Jones, Lawrence, Long, Owings, Payne, Rinehart, Seaborg, Thompson (L. F.), Van Houten, Watt, Whalley, Wilson, Wolfe, Wood — 19.

Absent or not voting: Austin, Baker, Drum, Fairweather, Fariss, Hunsaker, Kinnear, Kneeland, Landes, Luce, Parkinson, Preston, Snow, Thompson (G. T.), Vestal, Wooding.

The chief clerk of the House appeared and announced that the House had passed House bill No. 27, To regulate the practice of medicine and surgery in this state and licensing physicians and surgeons, etc., also passed the emergency clause contained therein.

The speaker has signed Senate memorial No. 19, Senate joint resolution No. 24, and Senate memorial No. 12.

House memorial No. 12, Relating to opening of lands in Douglass county, was passed by the following vote:

Yeas: Clough, Forsyth, Guilfoil, Houghton, Hyde, Jones, Lawrence, Long, Owings, Payne, Rinehart, Seaborg, Thompson (L. F.), Van Houten, Watt, Whalley, Wilson, Wolfe, Wood — 19.

Absent or not voting: Austin, Baker, Drum, Fairweather, Fariss, Hunsaker, Kinnear, Kneeland, Landes, Luce, Parkinson, Preston, Snow, Thompson (G. T.), Vestal, Wooding.

House bill No. 27 was read and referred to the Committee on Medicine, Surgery, etc., on motion of Senator Wilson.

Senate bill No. 104 was taken up, on motion of Senator Whalley, and, on motion of Senator Owings, the bill was laid on the table.

On motion of Senator Jones, Senate bill No. 29 was referred to the Engrossing Committee.

On motion of Senator Whalley, the Senate, at 3:40 P. M., adjourned until 1:30 P. M. to-morrow.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, January 21, 1890.
1:30 o'clock P. M.

Senate met pursuant to adjournment, and called to order by secretary in absence of president and president pro tem.

On motion of Senator Rinehart, Senator Owings was chosen president pro tem.

Roll called; all present but Senators Austin, Baker, Drum, Fairweather, Kinnear, Kneeland, Landes, Luce, Parkinson, Snow, Thompson (G. T.), Wooding, all of whom were excused on account of sickness or public duties.

Journal of yesterday read and approved.

On motion of Senator Fariss, Senate bill No. 27 was taken up, and laid on the table subject to call.

Senator Forsyth (by request) offered a remonstrance of citizens against class medical legislation, which was, on motion of Senator Payne, referred to the Committee on Medicine, Surgery and Hygiene.

By Senator L. F. Thompson: Senate joint memorial No. 23, Praying congress to reward the soldiers who fought in the Indian war in the Territory of Washington in 1855.

Rules suspended, read first and second time by title.

On motion of Senator Thompson the rules were further suspended, the memorial read third time, and passed by the following vote:

Yeas: Clough, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Jones, Lawrence, Long, Owings, Payne, Preston, Rinehart, Seaborg, Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wolfe, Wood — 22.

Absent or not voting: Austin, Baker, Drum, Fairweather, Kinnear, Kneeland, Landes, Luce, Parkinson, Snow, Thompson (G. T.), Wilson, Wooding.

COMMITTEE REPORT.

The Committee on Engrossed Bills made the following report:

MR. PRESIDENT:

Your standing Committee on Engrossed Bills beg leave to report that Senate bill No. 29, entitled "An act to establish and support a Bureau of

Labor Statistics, Agriculture and Immigration," has been carefully compared with the original and found correctly engrossed.

Very respectfully,

THOS. PAYNE, Chairman,
J. C. LAWRENCE.

JOINT COMMITTEE REPORT.

MR. PRESIDENT:

We, your joint Committee on Roads, Bridges and Highways, beg leave to report by bills, to-wit:

"An act for laying out, establishing and maintaining county roads."

"An act to provide for keeping highways in repair, and for the levy and collection of road and poll tax."

"An act to provide for laying out, building and maintaining of turnpike roads, etc."

For the consideration of the Senate.

Very respectfully,

J. H. LONG,
Chairman Senate Committee.
W. R. MOULTRAY,
Chairman House Committee.

INTRODUCTION OF BILLS.

By joint Committee on Roads, etc.: Senate bill No. 125, An to provide for laying out, establishing, altering, changing the width of or vacating any county road, and providing for assessment, paying damages, and providing for appeals.

Rules suspended, read first and second time by title, and referred to the Committee on Roads, Bridges and Fences.

By joint Committee on Roads, etc.: Senate bill No. 126, An act to provide for keeping highways in repair and collection of road and poll taxes.

Rules suspended, read first and second times by title, and referred to the Committee on Roads, etc.

By joint Committee on Roads, etc.: Senate bill No. 127, An act for laying out, opening, building and maintaining turnpike roads, and providing for counties issuing bonds for the same.

Rules suspended, read first and second times by title, and referred to the Committee on Roads, etc.

By Senator Van Houten (by request): Senate bill No. 128, An act to amend section 1 of an act entitled "An act to regulate, restrain, license or prohibit the sale of intoxicating liquors."

Rules suspended, read first and second times by title, and referred to the Committee on Public Revenue and Taxation.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that the House has passed Senate bill No. 88, with amendments, An act to provide for the prosecuting of public offences on information, the amendments being attached to the bill; returned herewith for the action of the Senate.

Has passed House bill No. 193, A bill for an act to compel employers of females to furnish seats for such female employes.

The speaker has signed House bill No. 140, An act giving the consent of the legislature of the state to the purchase and reservation by the United States of lands within the state. The same is transmitted to the Senate for the signature of the president.

The House has passed House bill No. 159, An act to prevent the spread of Chinese, Canada, Russian, Scotch and bull thistles or teasle, and providing penalties for violations thereof.

The speaker has signed House bill No. 138, An act to regulate the voluntary sending of newspapers and other publications; House bill No. 126, An act repealing sections 1, 2, 3 and 4 of an act fixing the compensation of the auditor of Lewis county as contained in the laws of 1883, and declaring an emergency to exist, both of which have passed both houses, been reported correctly, enrolled and are transmitted herewith for the signature of the president.

The House has passed House bill No. 127, An act to prevent banking institutions from receiving money on deposit when insolvent.

Has also passed House memorial No. 13, Praying congress for light houses and fog signal.

Has also passed House bill No. 23, An act to compel railroad companies to build and maintain depots.

Senate bill No. 29 was, on motion of Senator Jones, laid on table subject to call.

Senator Wilson in chair.

House bill No. 193: Rules suspended, read first and second times by title, and, on motion of Senator Houghton, referred to the Judiciary Committee.

Senator Whalley in the chair.

House bill No. 159: Rules suspended, read first and second times by title, and referred to the Committee on Agriculture, on motion of Senator Wilson.

House bill No. 23: Rules suspended, read first and second time

by title, and, on motion of Senator Wilson, referred to the Committee on Corporations.

House memorial No. 13: Rules suspended, read first and second time by title, and referred to Committee on Memorials.

House bill No. 27: Rules suspended, read first and second time by title, and, on motion of Senator Long, referred to the Committee on Public Revenue and Taxation.

Senate bill No. 88, reported back from House with amendments, was taken up. On the question, Shall the Senate concur in the amendments, they were not concurred in.

On motion of Senator Lawrence, the Senate, at 2:35, adjourned until 1:30 to-morrow.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, January 22, 1890.
1:30 o'clock P. M.

Senate called to order pursuant to adjournment; president in the chair.

Roll called; all present, except Senators Austin, Baker, Drum, Fairweather, Kinnear, Kneeland, Landes, Luce, Parkinson, Snow, Thompson (G. T.), Wooding, all of whom were excused on account of sickness or public duties.

Journal of yesterday read and approved.

The president announced that he was about to sign House bills Nos. 140, 138 and 126, which was done.

Senator Rinehart offered Senate concurrent resolution No. 30, Relative to appointing the Senate Committee on Claims and the House Committee on Ways and Means a joint committee on appropriation bills for the ensuing year.

Adopted.

Senator Owings offered the following, which was adopted:

Resolved, That the secretary of state be directed to furnish the Senate with a complete list of the justices of the peace in the State of Washington, according to the returns from the last general election, also a list of all notaries public in the State of Washington commissioned up to this date, and also a list of all district, county and state officers.

COMMITTEE REPORTS.

The following reports were read:

MR. PRESIDENT:

Your Committee on Memorials, to whom was referred Senate joint memorial No. 21, herewith return the same with the recommendation that it do pass.

C. E. FORSYTH,
B. A. SEABORG,
W. V. RINEHART.

MR. PRESIDENT:

Your Committee on Memorials, to whom was referred House memorial No. 13, herewith return the same with the recommendation that it pass.

C. E. FORSYTH,
W. V. RINEHART,
B. A. SEABORG.

Senate joint memorial No. 21 and House memorial No. 13 were both placed on file.

Your Committee on Municipal Corporations have had Senate bill No. 99 under consideration, and herewith return same with recommendation that it be indefinitely postponed.

Respectfully submitted,
S. VESTAL,
ALEX. WATT,
W. V. RINEHART.

INTRODUCTION OF BILLS.

By Senator Van Houten: Senate bill No. 129, An act to provide for the sale and leasing of school lands.

Rules suspended, read first and second time by title, and referred to the Committee on State, School and Granted Lands.

By Senator L. F. Thompson: Senate bill No. 130, An act to amend sections 1957 and 1967, chapter 138, of the Code of Washington Territory.

Rules suspended, read first and second time by title, and referred to the Committee on Judiciary.

THIRD READING OF BILLS.

Senate joint memorial No. 21 was, on motion of Senator Wilson, laid on the table.

House memorial No. 13 was read, and passed by the following vote:

Yeas: Clough, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Jones, Lawrence, Long, Owings, Payne, Preston, Rinehart,

Seaborg, Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wood — 23.

Absent or not voting: Austin, Baker, Drum, Fairweather, Kinnear, Kneeland, Landes, Luce, Parkinson, Snow, Thompson (G. T.), Wooding.

MESSAGES FROM THE HOUSE.

The chief clerk of the House appeared and announced that the House had concurred in the Senate amendments to House bill No. 32, An act providing for the payment of certain expenses of the supreme and superior courts.

Has concurred in amendments to House bill No. 39, In relation to the wearing of the badge of the Grand Army of the Republic.

Also concurred in amendments to House bill No. 148, To provide for the payment of incidental expenses of the legislature.

The House refused to concur in Senate amendments to House bill No. 130, A bill authorizing the appointment of commissioners of deeds, and asks for a committee of conference.

The House has appointed on behalf of the House Messrs. Evans, Megler and Pickrell.

The House has passed House bill No. 158, Requiring railroads to fence; also passed the emergency clause contained therein.

The House has passed House bill No. 173, An act for the preservation of large game, but has failed to pass the emergency clause contained therein.

The House has withdrawn its amendments to Senate bill No. 88, An act to provide for prosecuting public offenses on information.

The House passed House bill No. 131, Relative to the appointment of special deputy marshals or policemen by sheriffs, mayors and other persons.

The speaker has signed House memorial No. 12, relative to opening lands in Douglas county, passed by both houses and reported correctly enrolled, and the same is transmitted for the signature of the president.

The House has passed Senate joint memorial No. 22, Asking congress for an appropriation of $100,000 for the improvement of the Skagit river.

On motion of Senator Owings, Senate bill No. 99 was made a special order for Saturday, February 1, at 2 P. M.

Senate bill No. 88 was ordered to be enrolled.

The president announced that he was about to sign House memorial No. 12, which was done.

Senate memorial No. 22 was ordered to be enrolled.

House bill No. 131: Rules suspended, read first and second time by title and, on motion of Senator Preston, referred to the Committee on Judiciary.

House bill No. 173: Rules suspended, read first and second time by title and, on motion of Senator Preston, referred to the Committee on Agriculture.

House bill No. 158: Rules suspended, read first and second time by title, and referred to the Committee on Corporations.

The president appointed the following committee in accordance with Senate concurrent resolution No. 18, passed December 20th, relative to Code Commissioners Doolittle, Snively and Isham: Senators Kinnear and Drum.

On House bill No. 130 the president appointed the following committee of conference: Senators Houghton, Payne and Vestal.

On motion of Senator Van Houten, the Senate, at 2:20, adjourned until 2 P. M. to-morrow.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, January 23, 1890.
2 o'clock P. M.

Senate called to order, pursuant to adjournment; the president in the chair.

Roll called; all present except Senators Austin, Baker, Fairweather, Kinnear, Kneeland, Landes, Luce, Parkinson, Snow, Thompson (G. T.), Wooding, all of whom were excused on account of sickness or public duties.

Journal of yesterday read and approved.

The chief clerk of the House appeared and announced that the speaker has appointed Messrs. Nims, Kuhn and Hutchinson as a committee on the part of the House in accordance with Senate concurrent resolution No. 18, in relation to compensation of Code Commissioners Doolittle, Snively and Isham.

The House has refused to pass Senate bill No. 52, An act requiring railroads to fence.

Has passed Senate joint memorial No. 23, To reward the soldiers who fought in the Indian wars of Washington Territory.

Has passed House memorial No. 14, For the relief of settlers under the timber culture law.

Has passed House bill No. 157, a substitute for House bill No. 17, An act providing for the location and establishment of a State Reform School, and declaring an emergency.

Has also passed House joint resolution No. 20, Providing that the legislature adjourn without day on February 27th, at 10 P. M.

SPECIAL ORDER.

Senate bill No. 5 was taken up, and the Senate, on motion of Senator Whalley, went into committee of the whole on the bill, Senator Wood in the chair.

The committee arose, and the Senate received the following communication from the chief clerk of the House:

That the speaker had signed House bill No. 39, An act to prevent unauthorized persons from using or wearing the badge of the G. A. R.

Has also signed House bill No. 148, An act to provide for the payment of the incidental expenses of the legislature, and the same is transmitted to the Senate for the signature of the president.

The Senate again went into committee of the whole, Senator Wood in the chair, on Senate bill No. 5.

At 4:45 P. M. the committee arose and reported the bill to the Senate with amendments, and asked leave to sit again to-morrow.

Granted.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills beg leave to report that Senate bill No. 88, entitled "An act to provide for prosecuting public offenses on information," and Senate joint memorial No. 22, Asking congress for an appropriation of $100,000 for the improvement of the Skagit river, have been carefully compared with the engrossed copies thereof and found correctly enrolled. Very respectfully,

W. V. RINEHART, Acting Chairman,
J. HUNSAKER.

The Committee on Labor and Labor Statistics made the following report:

MR. PRESIDENT:

Your Committee on Labor and Labor Statistics, to whom was referred Senate bill No. 75, beg leave to make the following report: Your commit-

tee have carefully examined bill No. 75, and have unanimously agreed to recommend that the said bill, No. 75, do not pass.

J. H. JONES, Chairman,
JOHN T. WHALLEY,
ALEX. WATT.

MR. PRESIDENT:

Your Committee on Agriculture, to whom was referred Senate bill No. 54, entitled "An act to prevent certain animals from running at large," beg leave to report that they have had the same under consideration, and herewith return it with the recommendation that it do pass.

Your committee also beg leave to report that they have had under consideration Senate bill No. 119, entitled "An act to provide for the construction, repairing of drains and ditches for agricultural, sanitary and domestic purposes, etc.," and herewith return it with the recommendation that it do pass.

Your committee, to whom was referred House bill No. 159, a substitute for House bill No. 73, entitled "An act to prevent the spread of Chinese, Canada, Russian, Scotch, bull thistle or teasle, etc.," also beg leave to report that they have had the same under consideration, and respectfully return it with the following amendments, and, as amended, do recommend that it pass:

First amendment: In title, strike out the word "Chinese," and all after the word "Canada," up to "thistle."

Second amendment: In the first section of the bill strike out the words "$10" and increase to $20 for the first offense, and for the second offense increase the fine from $25 to $50 and the $50 to $100.

Third amendment: Strike out third section of bill.

L. F. THOMPSON, Chairman,
J. H. LONG,
A. T. FARISS.

The joint Committee on State Insane, Senators Hyde, Lawrence and Kneeland, and Representatives Gandy, Cook, Peterson, Power, Lull and Medcalf, through Senator Hyde, made a lengthy report, the reading of which was suspended and on motion of Senator Hyde 200 copies were ordered printed.

THE STEILACOOM ASYLUM.

Joint Report of the Committees on State Insane, of the Senate and House of Representatives, with Reference to the Asylum at Steilacoom.

OLYMPIA, Washington, January 24, 1890.

To the President of the Senate and Speaker of the House of Representatives:

Your standing Committees on State Insane, who were by concurrent resolution directed to visit the asylum at Steilacoom and report its condition and management, beg leave to say:

We have jointly visited that institution and made a thorough inspection thereof. We find that the asylum proper is in perfect condition. The

building is of a very substantial character, and has been well preserved by judicious supervision. The building is capable of accommodating about two hundred and fifty (250) patients, but not exceeding that number. It is constructed, arranged and equipped upon scientific principles, and is supplied with an abundance of pure water, drawn from living springs by means of hydraulic rams, pumps and pipes. Some of these appliances are now in need of repair, and will soon become ineffectual unless remedies are promptly applied.

There are now assigned to that institution and provided with accommodations therein, 322 patients. The wards in the main building, occupied by male patients, are full, and the wards for female patients are nearly filled to the extent of their capacity. To accommodate the excess of male patients beyond the capacity of the building, numerous old frame buildings, constructed and used for military purposes while Fort Steilacoom was occupied by the national government as a military post, have been utilized. The old buildings referred to have been overhauled and repaired and many improvements added thereto, including better ventilation, painting, etc. Nevertheless, they are not and cannot be made adaptable to the needs of persons afflicted with and under treatment for disease of the brain. The wooden buildings are decaying. The means of ventilation (although we think as good as could be devised in structures of that character) are insufficient. On account of so many diseased persons being huddled together in such apartments, the atmosphere is decidedly impure, and in some of the wards exceedingly offensive. We are not prepared to state that these conditions have operated seriously to the detriment of any of the patients confined in the wards referred to, but we are convinced that they unquestionably retard the physicians and others charged with the duty of caring for such patients in the application of scientific and progressive methods of producing relief to the sadly unfortunate human beings in their charge.

The asylum proper is scrupulously clean throughout, thoroughly ventilated and sufficiently heated from the furnaces. The beds and bedding are of excellent material, and we found them clean and in good condition.

The patients are as well clad as the conditions of such patients will allow. The food supplied the patients is apparently of good quality and carefully prepared and served by competent persons employed for that purpose.

The management utilize as many of the patients as may be trusted in the performance of minor service as they deem practicable, and thus curtail the expense of maintaining the institution to the fullest extent, without hazarding injury to any of the patients by relying upon insane persons for services, where there is a possibility of an error proving disastrous.

The management have good control over the patients, and preserve almost perfect discipline, usually without resort to force or harsh treatment. The female patients are kept in wards entirely apart from the male patients, and are under the especial care of a matron and female

assistants, who apparently comprehend their duties and the responsibilities devolving upon them. Men are never admitted to these wards, except under the guidance of the superintendent and accompanied by the matron.

The supplies for the asylum are all purchased under advertisement for proposals, and the lowest responsible bidder upon any article required is awarded the contract, and the goods delivered are required to conform to samples deposited with the trustees and superintendent at the time of awarding the contract. Thus the books of the institution show that the prices paid for supplies are usually but slightly in excess of the prices paid by retail merchants when buying similar goods in the wholesale market.

The clothing, boots and shoes, bedding, staple groceries, meats, and in fact all supplies on hand at the time of our visit, were of standard brands and grades, and in all respects suitable for the purposes intended.

Your committees exceeded your instructions to the extent of inquiring into the accusations recently published, with reference to the management of the asylum for the insane at Fort Steilacoom, and from the records and letters and other documents on file, we found the accusations referred to wholly groundless and unjustifiable. We do not deem it necessary, in this report, to give the details of this investigation, but will add that in our judgment a newspaper should be held strictly accountable for any damage accruing in consequence of the publication of an anonymous communication, the authorship of which is unknown to or cannot be divulged by the editor or owner of such newspaper. Your committees deem that the statements published, concerning the management of the insane asylum at Steilacoom, were grossly libelous, both against the management of that asylum and the unfortunate women who have been sent there for treatment, and also against the State of Washington; and we take the liberty of denouncing said publications as wholly without foundation, unjust and infamous, and calculated to effect irreparable injury.

Your committees found that there is a strip of land belonging to the state, extending from the west line of the asylum grounds at Fort Steilacoom to the bay, and containing from 50 to 60 acres (the same not having been accurately surveyed). This land is now practically useless to the state for the purposes of the asylum, inasmuch as the timber has been removed therefrom and the land is not suitable for cultivation. It is not needed and cannot be utilized for any purposes of the asylum, now or hereafter, so far as your committees have been able to discern. It is desirable that the trustees of the asylum at Fort Steilacoom be empowered by legislative enactment to sell this strip of land, and with the proceeds derived therefrom, or so much thereof as may be required, to purchase a tract of land of about the same area lying one mile east of the asylum, a portion of which is now timbered and all of which may be cultivated. On the last-named tract is an abundant supply of excellent water that may hereafter be very useful to the asylum.

Your committees recommend that an appropriation be made by this

legislature sufficient to defray the expense of maintaining the asylums for the insane at Fort Steilacoom and Medical Lake, from the beginning of the current fiscal year, October 1, 1889, to the date of an appropriation for that purpose by the next legislature, and for such improvements and repairs as may be required.

Your committees further recommend that the board of trustees of the asylum at Steilacoom be authorized and empowered by legislative enactment to sell and to execute a deed for the tract of land herein referred to at not less than $100 per acre, and with the proceeds derived from such sale, or so much thereof as may be needed, to purchase the other tract of land herein mentioned for the purposes of the asylum: *Provided*, That the surveys of the tracts of land designed to be sold and purchased shall be made without expense to the state, and that any surplus remaining from the proceeds of the sale of the first mentioned tract of land in excess of the amount paid for the tract to be purchased shall be turned into the state treasury, and be applied to such fund as may be designated in the act of the legislature authorizing the board of trustees to sell and purchase said lands.

There are several children of tender age now confined in the asylum at Fort Steilacoom, and your committees recommend that the board of trustees and superintendents of insane asylums in this state be empowered, by legislative enactment, to send to the School for Defective Youth at Vancouver, all children of suitable age who may have been or may hereafter be committed to their charge.

The physicians for the asylum at Steilacoom are now required to dispense the drugs for their patients, which occupies a great deal of their time, and we recommend that the trustees be authorized to employ a druggist. Respectfully submitted,

E. B. HYDE,
J. C. LAWRENCE.

Of the Senate committee, Mr. Kneeland being absent.

J. E. GANDY,
S. S. COOK,
OLIFF PETERSON,
I. N. POWER,
A. B. LULL,
J. T. MEDCALF.

I concur with the majority of the committee in the main features of this report.

E. B. PICKRELL.

On motion of Senator Owings, the Senate, at 4:55, adjourned until 2 P. M. to-morrow.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, January 24, 1890.
2 o'clock P. M.

Senate called to order, pursuant to adjournment; the president in the chair.

Roll called; all present except Senators Austin, Baker, Kinnear, Kneeland, Landes, Luce, Parkinson, Snow, Thompson (G. T.), Thompson (L. F.) and Wooding, all of whom were excused on account of sickness or public duty.

The president announced that he was about to sign House bill No. 148, House bill No. 39, Senate bill No. 88 and Senate joint memorial No. 22, which was done.

Senator Preston offered Senate memorial No. 24, Asking for an appropriation from congress to reclaim the arid lands in the State of Washington.

Rules suspended, read first and second time by title, and referred to the Committee on Memorials.

Senators Kinnear, Thompson (L. F.) and Thompson (G. T.) were, on motion, indefinitely excused in consequence of sickness.

The clerk of the House appeared and announced that the House had passed House bill No. 182, A bill for an act to establish a State Normal School at Cheney, Spokane county, Washington.

The speaker has signed House memorial No. 13, For lighthouses and fog signal, and House bill No. 32, Providing for the payment of certain expenses and salaries of supreme and superior judges, both of which have passed both houses and been reported correctly enrolled, and the same are transmitted herewith for the signature of the president.

COMMITTEE REPORT.

To the Honorable the Senate of Washington:

MR. PRESIDENT—Your Committee on Commerce, to whom was referred House bill No. 101, An act to compel express companies to deliver packages, parcels and letters received at their local offices in towns and cities of over one thousand inhabitants within one business day of the receipt of such packages, parcels or letters, have carefully considered the same, and beg leave to submit the subjoined report:

You committee have concluded to report the following amendments:

In the title, strike out all after the word "companies," in the first line,

and insert instead "to notify their patrons of the arrival of packages, parcels and letters, or to deliver the same."

Section 1, line 4, after the word "of" and before the word "local" strike out the word "its" and insert the word "the."

Section 1, line 4, after the word "officers" strike out all down to the words "of said," at the close of the seventh line. The words to be stricken out are the following: "located in any city or town containing more than one thousand inhabitants, from any other officer."

Section 1, line 10, after the word "letter" strike out all down to the word "such," the first word of line seventeenth. The words to be stricken out are as follows: "addressed by street and number to any person within said town or city, or addressed to any person within said city whose residence or place of business can be ascertained by reasonable inquiry, it shall be."

Section 1, line 17, after the word "deliver," with which the line closes, insert "or notify the owners of the arrival of."

Section 2, line 7, after the word "than" strike out the word "fifty" and insert the word "five."

Section 2, line 7 and 8, strike out the words "five hundred" and insert the words "two hundred."

With these amendments your committee recommend that House bill No. 101 do pass.

B. A. SEABORG,
J. HUNSAKER.

Minority report from the Committee on Commerce:

MR. PRESIDENT:

I beg leave to submit the subjoined minority report from the Committee on Commerce on House bill No. 101:

I concur in all the amendments made by the majority except that which compels notification.

J. H. JONES.

The Committee on Commerce made the following report:

MR. PRESIDENT:

Your Committee on Commerce have carefully examined Senate bill No. 100, and unanimously recommend that it do pass.

B. A. SEABORG,
J. HUNSAKER,
J. H. JONES.

MR. PRESIDENT:

Your Committee on Commerce, to whom was referred a communication from the governor—communication No. 5—in which was inclosed a communication from Major Handbury, hereby return the same with a recommendation that action thereon be indefinitely postponed, for the reason that a bill covering the grounds set forth in the communications has already passed both houses.

B. A. SEABORG,
J. HUNSAKER,
J. H. JONES.

The report of the committee was adopted.

Senate joint memorial No. 23 was referred to the Enrolling Committee.

House bill No. 74 was taken from special orders and placed on general file, on motion of Senator Houghton.

The president announced that he was about to sign House bill No. 32 and House memorial No. 13, which was done.

INTRODUCTION OF BILLS.

House bill No. 157: Rules suspended, read first and second time by title, and on motion of Senator Hunsaker, referred to the Committee on Education.

House memorial No. 14: Rules suspended, read first and second time by title, and referred to the Committee on Memorials.

House joint resolution No. 20, Relative to fixing February 27th as day of adjournment, was read.

Senator Wilson offered the following amendment.

Strike out all down to the word "Resolved," and insert the following:

WHEREAS, The first legislature of the new State of Washington, assembled under the constitution, was called together in a structure totally inadequate to meet the wants of or to accommodate so large a body as one hundred and five members, with the necessary officials and employes;

WHEREAS, The failure on the part of the president to issue the proclamation of statehood, the delay incident to the election of United States senators, the prevailing sickness among many of the members, the bad weather and other matters, have been the means of delaying the legislature to some extent; and

WHEREAS, It is necessary to adjourn as soon as the business of the legislature is properly concluded, and it is believed such an adjournment can be shortly effected; therefore, be it

Strike out, also, "February 27, 1890, at 10 P. M.," and insert "Thursday, March 6, 1890, at 10 P. M."

Senator Owings moved that the whole subject be laid on the table.

On this motion Senators Wood, Seaborg, Fairweather, Payne, Rinehart and Hunsaker called for the yeas and nays, and the motion failed by the following vote:

Yeas: Drum, Fairweather, Fariss, Guilfoil, Houghton, Owings, Payne, Preston, Watt, Whalley — 10.

Nays: Clough. Forsyth, Hunsaker, Hyde, Jones, Lawrence, Long, Rinehart, Seaborg, Van Houten, Vestal, Wilson, Wolfe, Wood — 14.

Absent or not voting: Austin, Baker, Kinnear, Kneeland, Landes, Luce, Parkinson, Snow, Thompson (G. T.), Thompson (L. F.), Wooding.

Senator Long moved to strike out all of the resolution down to the words "be it resolved," and that it be made a special order for February 17th, at 2 P. M.

Lost; 7 in affirmative, 18 in negative.

Senator Long offered the following amendment: Strike out all of the preamble and insert, after the word "Resolved," the following: "That February 20, 1890, be and the same is hereby fixed as the date beyond which no new business shall be introduced without a two-thirds vote of each House."

Adopted by a divisional vote: Yeas 18, nays 5.

On motion of Senator Long, the House joint resolution was then referred to the Judiciary Committee by a divisional vote: Yeas 13, nays 9.

INTRODUCTION OF BILLS.

House bill No. 182 was, on motion of Senator Van Houten, read first time, rules suspended, read second time by title, and referred to the Committee on Education.

By Senator Fairweather: Senate bill No. 131, An act to provide for the payment of the debt of the Territory of Washington, and declaring an emergency.

Rules suspended, read first and second time by title, and referred to the Committee on Judiciary.

By Senator Owings: Senate bill No. 132, A bill for an act appointing a commissioner, or, in a certain contingency, the appointment of commissioners to compile, re-arrange and annotate the laws of Washington.

Rules suspended, read first and second time by title, and referred to the Committee on Revenue and Taxation.

By Senator Drum: Senate bill No. 133, A bill for an act authorizing railroad corporations to construct branches and extensions from their railroads and from the railroads of other railroad corporations connecting with their roads and to consolidate with other railroad corporations.

Rules suspended, read first and second time by title, and referred to the Committee on Corporations.

Senate bill No. 75 was taken up, and, on motion of Senator Wood, was referred to the Committee on Agriculture.

House bill No. 159 was taken up, and, on motion of Senator Wilson, referred to the Committee on Agriculture.

Senate bill No. 54 was taken up, and, on motion of Senator Long, re-committed to the Committee on Agriculture.

Senate bill No. 119, Relative to drains, ditches, etc., was read third time, amended, and ordered to be engrossed.

Senator Fairweather was excused for the day.

Senators Guilfoil and Wood were excused until Monday.

Senator Rinehart was allowed indefinite leave in consequence of sickness in his family.

House bill No. 101 was taken up, and the amendments, as reported by both the majority and minority of the committee, were considered.

The minority report of the committee was not adopted.

On motion of Senator Wolfe, the bill was indefinitely postponed.

On motion of Senator Owings, the Senate, at 5:35 P. M., adjourned until 10:30 A. M. to-morrow.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, January 25, 1890.
10:30 o'clock A. M.

Senate called to order, pursuant to adjournment; the president in the chair.

Roll called; absent: Senators Austin, Baker, Drum, Fairweather, Guilfoil, Jones, Kinnear, Kneeland, Landes, Lawrence, Long, Luce, Parkinson, Rinehart, Snow, Thompson (G. T.), Thompson (L. F.), Watt, Whalley, Wood, Wooding—21.

But 14 members were present; no quorum.

Senator Fariss moved to adjourn until Monday, at 2 P. M.

Senator Wilson moved to amend to take a recess until 11 o'clock A. M.

Amendment adopted.

At 11 A. M. the Senate was called to order; the president in the chair.

The following senators were absent: Austin, Baker, Fairweather, Guilfoil, Kinnear, Kneeland, Landes, Luce, Parkinson, Rinehart,

Snow, Thompson (G. T.), Thompson (L. F.), Wood, Wooding — 15.

Twenty members answered to their names.

Journal of previous day read and approved.

INTRODUCTION OF BILLS.

By Senator Van Houten: Senate bill No. 134, An act to create and establish a board of health, and board of vital statistics in the State of Washington.

Rules suspended, read first and second time, and referred to the Committee on Medicine, Surgery, etc.

Senate bill No. 100 was, on motion of Senator Houghton, made a special order for Thursday, January 30th, at 3 P. M.

House bill No. 74, An act to provide for the completion and furnishing of the Hospital for the Insane at Medical Lake, Washington, and making an appropriation therefor.

On motion of Senator Houghton, the Senate went into committee of the whole on the bill; Senator Houghton in the chair.

The committee arose, reported the bill to the Senate without amendments; the president in the chair.

The bill was passed by the following vote:

Yeas: Clough, Drum, Fariss, Forsyth, Houghton, Hunsaker, Hyde, Jones, Lawrence, Long, Owings, Payne, Seaborg, Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe — 19.

Absent or not voting: Austin, Baker, Fairweather, Guilfoil, Kinnear, Kneeland, Landes, Luce, Parkinson, Preston, Rinehart, Snow, Thompson (G. T.), Thompson (L. F.), Wood, Wooding.

Senate bill No. 5: On motion of Senator Long, the Senate went into committee of the whole on Senate bill No. 5, An act for the incorporation of cities and towns in the State of Washington of less than 20,000 inhabitants, etc.

Senator Lawrence in the chair.

The committee arose, reported the bill to the Senate with amendments.

President in the chair.

On motion of Senator Wilson, the bill was made a special order for Wednesday, January 29th, at 7:30 P. M.

On motion of Senator Lawrence, the Senate, at 12:20, adjourned until 2 o'clock P. M. on Monday, January 27th.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, January 27, 1890.
2 o'clock P. M.

Senate called to order, pursuant to adjournment; the president in the chair.

Roll called; all present but Senators Baker, Long, Rinehart, Thompson (L. F.), Wood, Wooding, all of whom were excused for sickness.

Senator Parkinson in the chair.

Journal of proceedings of previous session read and approved.

COMMITTEE REPORTS.

The Committee on Memorials reported as follows:

MR. PRESIDENT:

Your Committee on Memorials, to whom was referred House memorial No. 14, herewith return same with the recommendation that it do pass.

C. E. FORSYTH,
B. A. SEABORG.

MR. PRESIDENT:

Your Committee on Memorials herewith return Senate joint memorial No. 24, with the recommendation that it do pass.

C. E. FORSYTH.
B. A. SEABORG.

MR. PRESIDENT:

Your Committee on Memorials, to whom was referred Senate joint memorial No. 17, herewith return the same with the recommendation that it do pass.

C. E. FORSYTH.
B. A. SEABORG.

ENROLLED BILLS.

The Committee on Enrolled Bills made the following report:

MR. PRESIDENT:

Your standing Committee on Enrolled Bills beg leave to report that Senate joint memorial No. 23, To reward the soldiers who fought in the Indian wars of Washington Territory, has been carefully compared with the engrossed copy thereof and found correctly enrolled.

Very respectfully,
J. M. SNOW, Chairman.
J. HUNSAKER.

The Committee on State Library offered the following:

To the President of the Senate:

Your Committee on State Library, to whom was referred Senate bills No. 114 and No. 116, beg leave respectfully to report that they have had the

same under consideration and return them herewith, together with a substitute bill embodying the essential and desirable features of both bills submitted to them, and recommend the passage of said substitute bill.

Very respectfully,

O. D. GUILFOIL,
P. A. PRESTON,
J. C. LAWRENCE,
Committee on State Library.

INTRODUCTION OF BILLS.

By the Committee on State Library: Senate bill No. 135, substitute for Senate bills Nos. 114 and 116, An act in relation to the library of the State of Washington and declaring an emergency.

Rules suspended, on motion of Senator Lawrence, read first and second time by title, and placed on general file.

By Senator Fariss: Senate bill No. 136, An act providing for the organization, general powers, management, control and liquidation of banking associations; defining the liability of shareholders therein; and providing penalties for the violation of this act.

Rules suspended, on motion of Senator Fariss, read first and second time by title and referred to the Committee on Public Revenue and Taxation.

By Senator Hunsaker: Senate bill No. 137, An act providing for a lien for common carriers in this state, and to provide for the enforcement thereof.

Rules suspended, on motion of Senator Hunsaker, read first and second time by title, and referred to the Committee on Corporations other than Municipal.

By Senator Wilson: Senate bill No. 138, An act prescribing the qualifications of locomotive engineers.

Rules suspended, on motion of Senator Van Houten, read first and second time by title, and referred to the Committee on Corporations other than Municipal.

By Senator Preston: Senate bill No. 139, An act for the relief of Frank J. Parker, for services as penitentiary commissioner in investigating the jute manufacturing business.

Rules suspended, read first and second time by title, and on motion of Senator Preston, referred to the Committee on Claims.

RE-COMMITTED.

House memorial No. 14 was taken up.

On motion of Senator Whalley, the bill was re-committed to the Committee on Memorials.

PASSAGE OF BILLS.

Senate joint memorial No. 24, Asking congress to appropriate money to reclaim the arid lands in the State of Washington, was read a third time, and passed by the following vote:

Yeas: Austin, Drum, Fariss, Guilfoil, Houghton, Hunsaker, Jones, Kinnear, Kneeland, Landes, Lawrence, Luce, Parkinson, Payne, Preston, Seaborg, Thompson (G. T.), Van Houten, Vestal, Whalley, Wolfe—21.

Nays: Hyde, Snow—2.

Absent or not voting: Baker, Clough, Fairweather, Forsyth, Long, Owings, Rinehart, Thompson (L. F.), Watt, Wilson, Wood, Wooding.

Senate joint memorial No. 17, Praying congress to make the town of Blaine, Whatcom county, a port of entry, was read a third time, and passed by the following vote:

Yeas: Austin, Drum, Fairweather, Fariss, Guilfoil, Hunsaker, Hyde, Jones, Kinnear, Landes, Luce, Owings, Parkinson, Preston, Seaborg, Snow, Thompson (G. T.), Vestal, Whalley, Wolfe—20.

Absent or not voting: Baker, Clough, Forsyth, Houghton, Kneeland, Lawrence, Long, Payne, Rinehart, Thompson (L. F.), Van Houten, Watt, Wilson, Wood, Wooding.

Senate bill No. 104 was, on motion of Senator Fairweather, indefinitely postponed.

Senate bill No. 29, Relative to a bureau of labor statistics, agriculture and immigration, was, on motion of Senator Jones, taken up, the Senate going into committee of the whole; Senator Whalley in the chair.

The committee arose, and reported the bill to the Senate.

On motion of Senator Fairweather, the bill was made a special order for to-morrow (Tuesday), at 3 o'clock P. M., by a divisional vote; 14 in affirmative, 6 in negative.

Senator Parkinson in the chair.

The chief clerk of the House appeared and announced that the House had passed House bill No. 205, An act to provide for paying for the reports of the late territorial officers, and has also passed the emergency clause contained therein.

The speaker has signed Senate bill No. 88, An act to provide for prosecuting public offenses on information; Senate memorial No. 22, For improvement of the Skagit river, both of which have been

signed by the president of the Senate, and they are returned herewith for transmission to the proper officer.

PASSAGE OF BILLS.

Senate bill No. 70, Providing for the exemption of firemen from jury duty and capitation tax, and declaring that an emergency exists.

The amendment reported by the committee to insert the word "volunteer" after the word "organized" in second line of first section, was adopted; president in the chair.

The bill was passed by the following vote:

Yeas: Austin, Clough, Drum, Fairweather, Fariss, Guilfoil, Houghton, Hunsaker, Hyde, Jones, Kinnear, Kneeland, Landes, Lawrence, Luce, Owings, Parkinson, Payne, Preston, Seaborg, Snow, Thompson (G. T.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe — 28.

Absent or not voting: Baker, Forsyth, Long, Rinehart, Thompson (L. F.), Wood, Wooding.

The emergency clause was passed by the following vote:

Yeas: Austin, Clough, Drum, Fairweather, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Jones, Kinnear, Kneeland, Landes, Lawrence, Luce, Owings, Parkinson, Payne, Preston, Seaborg, Snow, Thompson (G. T.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe — 29.

Absent or not voting: Baker, Long, Rinehart, Thompson (L. F.), Wood, Wooding.

Senate bill No. 27, Relative to prohibiting armed bodies of men other than the regular organized militia and troops of the United States from drilling or parading with arms in this state, was taken up. Senator Owings offered the following amendment: "*Providing*, That independent companies may be organized and may drill and parade with arms in public under the direction of their officers, and may take part in any regimental or brigade encampment, and while so encamped may be governed by such laws, rules and regulations as said companies may adopt not inconsistent with the laws of the United States or the laws of this state: *Provided further*, That said companies shall at all times be subject to the orders of the governor of this state: *Provided*, Said members of said companies shall take an oath to obey the laws of the state and the orders of the governor of the state."

Add the above after the word "encampment" in line 13 of original bill, section 1.

A call of the Senate was ordered by Senators Landes, Payne and Wolfe. The following senators responded:

Yeas: Austin, Clough, Drum, Fairweather, Fariss, Forsyth, Guilfoil, Houghton, Humsaker, Hyde, Jones, Kinnear, Kneeland, Landes, Lawrence, Luce, Owings, Parkinson, Payne, Preston, Seaborg, Snow, Thompson (G. T.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe—29.

Nays: Baker, Long, Rinehart, Thompson (L. F.), Wood, Wooding—6.

On motion of Senator Payne, further proceedings under the call of the house were dispensed with.

The amendment of Senator Owings was adopted by a divisional vote of eighteen in affirmative and eight in negative, and the bill was ordered to be engrossed.

Senate joint memorial No. 21 was taken up, and on motion of Senator Kneeland, it was returned to the table.

On motion of Senator Kinnear, the Senate, at 4:20, adjourned until 1:30 P. M. to-morrow.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, January 28, 1890.
1:30 o'clock P. M.

Senate called to order, pursuant to adjournment; the president in the chair.

Roll called; all present excepting Senators Baker, Rinehart, L. F. Thompson and Wooding, who were excused.

Prayer by Rev. J. R. Thompson, of Vancouver.

Journal of yesterday read and approved.

REPORTS OF COMMITTEES.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred petitions from citizens of King county, asking for the appointment of an additional judge for said county, have had the same under consideration and respectfully report the same back to the Senate with recommendation that the same be granted. Your committee has prepared a bill in compliance therewith, entitled "An act to provide for one additional superior court

judge for each of the counties of King, Pierce and Spokane, and declaring an emergency to exist," and will report the same at to-morrow's session with recommendation that it pass.

Respectfully submitted,

J. R. KINNEAR, Chairman.

Report concurred in by Senators Houghton, Payne and Whalley, the other members of the committee being absent.

The Judiciary Committee, on House joint resolution No. 20, reported the same back to the Senate with a substitute resolution known as Senate joint resolution No. 31, providing that no new business, except bills reported by standing committees relating to subjects referred to them, shall be received by the legislature after the 10th of February, 1890, which substitute was adopted.

MR PRESIDENT:

Your Committee on Judiciary, to whom was referred House bill No. 193, entitled "An act to compel employers of females to furnish seats for such female employes," have had the same under consideration and report the bill back without recommendation.

Your Committee on Judiciary, to whom was referred Senate bill No. 16, entitled "An act in relation to the organization, power and duties of the superior courts," have had the same under consideration, and now respectfully report the same back to the Senate with the recommendation that the bill pass.

Respectfully submitted,

J. R. KINNEAR, Chairman.

Report concurred in by Senators Houghton, Whalley and Payne, other members of committee being absent.

MR. PRESIDENT:

Your Committee on Revenue and Taxation, to whom was referred Senate bill No. 128, An act to amend section 1 of an act to regulate and restrain, license or prohibit the sale of intoxicating liquors, enacted by legislative assembly of the Territory of Washington, and approved on the 2d day of February, 1888, having had the same under consideration, submit the following amendment: Add to section 1, "*Provided further*, That no license shall be granted to sell spirituous, fermented, malt or other intoxicating liquors by said county commissioners within one mile of the corporate limits of any incorporated city, town or village for a less sum than the license fee charged within the said corporate limits of said city, town or village," and recommend that the bill as amended do pass.

H. W. FAIRWEATHER,
E. T. WILSON,
B. C. VAN HOUTEN,
J. HUNSAKER,
H. DRUM,
S. VESTAL,
H. LANDES,
J. H. LONG.

Your Committee on Revenue and Taxation, to whom was referred House bill No. 127, An act to prevent banking institutions from receiving moneys on deposits when insolvent, having carefully considered the same report it back and recommend that it be referred to the Judiciary Committee.

H. W. FAIRWEATHER.
H. LANDES,
S. VESTAL,
B. C. VAN HOUTEN,
E. T. WILSON,
J. HUNSAKER,
J. H. LONG.

The report was adopted and the bill was referred to the Judiciary Committee.

MR. PRESIDENT:

Your Committee on Agriculture, to whom was referred Senate bill No. 11, An act providing for the location of an agricultural college, have had the same under consideration, and hereby return it without recommendation.

A. T. FARISS,
J. H. LONG.

On motion of Senator Lawrence the bill was made a special order for 3:30 P. M., to-day.

MR. PRESIDENT:

Your committee, to whom was referred Senate bill No. 23, entitled "An act relating to the appointment, power and duties of court commissioners," have had the same under consideration, and respectfully report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

Respectfully submitted,
J. R. KINNEAR, Chairman.

Report concurred in by Senators Whalley, Houghton and Payne, other members of committee being absent.

On motion of Senator Kinnear the report of the committee was adopted.

MR. PRESIDENT:

Your Committee on Medicine, Surgery, Hygiene and Dentistry, to whom were referred House bill No. 27, and Senate bills Nos. 57, 61 and 69, respectfully report back the same, and recommend the passage of House bill No. 27.

We also recommend the indefinite postponement of Senate bills Nos. 57, 61 and 69.

Very respectfully,
F. H. LUCE, Chairman,
E. B. HYDE,
J. M. SNOW.

On motion of Senator Wood, the last paragraph of the report, relating to Senate bills Nos. 57, 61 and 69, was laid on the table, by a divisional vote; yeas 11, nays 10.

MESSAGES FROM THE HOUSE.

The clerk of the House appeared and announced that the House had passed the following:

House bill No. 181, An act to provide grand jurors for the superior courts of this state, also passed the emergency clause of the same.

Also, passed House bill No. 125, A bill for an act to secure creditors a just division of the estates of debtors who convey to assignees for the benefit of creditors.

Also, passed House bill No. 123, An act for the appointment of a fish commission, defining its duties, and declaring an emergency, also passed the emergency clause.

Also, passed House bill No. 102, An act to prevent bulls from running at large during certain seasons, etc., also passed the emergency clause.

Also, passed House memorial No. 15, Relative to the location of a land office at Waterville, Washington.

The speaker has signed Senate joint memorial No. 23, In relation to rewarding the Indian war volunteers, which has passed both houses, and been reported correctly enrolled, and it is herewith returned for transmission to the proper officer.

FROM THE SECRETARY OF STATE.

STATE OF WASHINGTON, OFFICE OF SECRETARY OF STATE.
OLYMPIA, January 25, 1890.

To the Honorable President and Members of the State Senate:

GENTLEMEN — In response to your resolution requesting the secretary of state to furnish a complete list of precinct, county, district and state officers, and of notaries public now in the state, I have the honor to submit the enclosed synopsis, carefully compiled, believing it will serve every purpose in view in connection with your resolution. I have the honor to be,

Very respectfully, etc.,

ALLEN WEIR,
Secretary of State.

State officers	8
Militia officers	2
Supreme court justices	5
Supreme court clerks	1
Superior court judges	12
Superior court clerks	34
Prosecuting attorneys	14
County commissioners	102
County auditors	34

County sheriffs	34
County treasurers	34
County assessors	25
County probate judges	34
County school superintendents	34
County surveyors	34
County coroners	34
County justices of the peace	457
County constables	441
County wreck masters	12
County sheep commissioners	5
Total	1,356
Notaries public under commission to January 24, 1890	1,374

On motion of Senator Owings, the communication was referred to the Committee on Corporations.

INTRODUCTION OF BILLS.

House bill No. 205: Rules suspended, read first and second time by title, and referred to the committee of the whole, on motion of Senator Drum.

SPECIAL ORDER.

Senate bill No. 12, Relative to establishing a state normal school, was taken up.

Senator Houghton moved that it be further made a special order for Friday, January 31st, at 3 P. M.

Lost by divisional vote of yeas 11, nays 14.

The bill was then read a third time, the amendments reported by the Committee on Education adopted, and the bill ordered to be engrossed.

COMMITTEE REPORT.

The Judiciary Committee reported as follows:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 86, entitled "An act relating to the filing of transcripts of judgments rendered in this state by the district or circuit courts of the United States," have had the same under consideration, and now respectfully report the same back to the Senate with the recommendation that the bill pass.

Respectfully submitted,

J. R. KINNEAR, Chairman.

Report concurred in by Senators Houghton, Whalley, Wood and Payne. Senator Thompson dissented. Other members absent.

SPECIAL ORDER.

Senator Parkinson in the chair.

Senate bill No. 26: The report of the committee that the bill be indefinitely postponed was read.

President in the chair.

The report of the committee was adopted, and the bill indefinitely postponed by yeas 22, nays 5.

The yeas and nays were called for by Senators Kinnear, Houghton, Luce, Long, Kneeland and Drum, and the Senators voted as follows:

Yeas: Austin, Clough, Drum, Fairweather, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Kneeland, Landes, Long, Luce, Owings, Parkinson, Preston, Seaborg, Snow, Van Houten, Vestal, Whalley, Wolfe — 22.

Nays: Jones, Kinnear, Lawrence, Thompson (G. T.), Wood — 5.

Absent or not voting: Baker, Fariss, Payne, Rinehart, Thompson (L. F.), Watt, Wilson, Wooding.

SPECIAL ORDER.

Senate bill No. 29 was taken up.

Senator Owings offered a substitute: Senate bill No. 139½, An act to establish and support a bureau of statistics, agriculture and immigration, and the appointment of a commissioner for the same.

On motion of Senator Owings, both Senate bill No. 29 and the substitute Senate bill No. 139½ were laid on the table, and the substitute was ordered printed.

On motion of Senator Drum the Senate went into committee of the whole to consider House bill No. 205, To provide for paying for the printing of reports of late territorial officers.

Senator Drum in the chair.

The committee arose and reported the bill to the House and recommended its passage.

Senator Parkinson in the chair.

The bill was passed by the following vote:

Yeas: Austin, Drum, Fairweather, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Jones, Kneeland, Landes, Lawrence, Luce, Owings, Parkinson, Preston, Seaborg, Snow, Van Houten, Vestal, Whalley, Wolfe, Wood — 24.

Absent or not voting: Baker, Clough, Kinnear, Long, Payne.

Rinehart, Thompson (G. T.), Thompson (L. F.), Watt, Wilson, Wooding.

On motion of Senator Luce, the Senate went into committee of the whole on Senate bill No. 112, Providing for the purchase of furniture for state officers, and making an appropriation for the same.

Senator Kinnear in the chair.

The committee arose and reported the bill to the Senate with amendments.

The president in the chair.

On motion of Senator Luce the bill was taken up.

Senator Wilson moved to lay the bill on the table.

So ordered.

Senator Lawrence moved that Senate bill No. 11 be made a special order for 1:45 P. M. to-morrow.

Lost by a divisional vote. Yeas 13, nays 10, not a two-thirds vote.

On motion of Senator Landes the Senate, at 5:10, adjourned until 1:30 to-morrow.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, January 29, 1890.
1:30 o'clock P. M.

Senate called to order pursuant to adjournment; the president in the chair.

Roll called; absent Senators Baker, Rinehart and Wooding, who were excused.

Prayer by Rev. J. R. Thompson, of Vancouver.

Journal of yesterday read and approved.

Senator Long offered the following which was adopted:

Resolved by the Senate, That committee clerks, when not otherwise employed, shall report to the president for assignment to the clerical work of the Senate.

Senator Preston offered a number of remonstrances from the people of Lincoln county and other counties, against class medical legislation, which were, on motion of Senator Wolfe, placed on file with House bill No. 27.

MEMORIAL OFFERED.

By Senator Luce: Senate joint memorial No. 25, Relating to the duty on lead ores.

Rules suspended, read first and second time by title; rules further suspended, on motion of Senator Houghton, and memorial read third time and passed. Yeas 29, as follows:

Yeas: Austin, Clough, Fairweather, Fariss, Forsyth, Guilfoil, Houghton, Humsaker, Hyde, Jones, Kinnear, Kneeland, Landes, Lawrence, Long, Luce, Owings, Parkinson, Preston, Seaborg, Snow, Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wood—29.

Absent or not voting: Baker, Drum, Payne, Rinehart, Thompson (G. T.), Wooding.

Senator Wolfe offered the following, which was adopted:

That the secretary of the Senate request—through the chief clerk of the House—the chairman of the Committee on Medicine, Surgery and Hygiene of the House to forward to the Senate all remonstrances received by his committee against the passage of House bill No. 27.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that the speaker had signed House bill No. 74, An act to provide for the completion and furnishing of the Hospital for Insane at Medical Lake, Wash., which has passed both houses, been reported correctly enrolled, and is herewith transmitted for the signature of the governor.

REPORTS OF COMMITTEES.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 79, entitled "An act authorizing and empowering cities and towns, organized prior to the adoption of the state constitution, to extend their credit and to fund their indebtedness, and validating certain indebtedness already contracted, and declaring an emergency to exist," have had the same under consideration, and now respectfully report the same back to the Senate with the following amendment, and as amended recommend the passage of the same:

First amendment: Page 2, section 5, line 5, after the word "town," insert the following: "When the only ground of the invalidity of such indebtedness is that it exceeds the amount authorized by the charter of such city or town."

Your Committee on Judiciary, to whom was referred the matter of providing for additional superior court judges in certain counties, have had the same under consideration, and respectfully report that they have

prepared a bill, entitled "An act to provide for one additional superior court judge for each of the counties of King, Pierce and Spokane, and declaring an emergency to exist," and report the same herewith, with the recommendation that the same do pass.

Your Committee on Judiciary, to whom was referred Senate bill No. 28, entitled "A bill for an act in relation to court commissioners, their duties and compensation," have had the same under consideration, and respectfully report the same back to the Senate with certain amendments, and recommend the passage of the same.

Your Committee on Judiciary, to whom was referred Senate bill No. 93, entitled "An act to prohibit certain persons from carrying or using fire-arms," have had the same under consideration, and now respectfully report the same back with the recommendation that it be indefinitely postponed.

J. R. KINNEAR,
Chairman.

Report concurred in by Senators Houghton, Wood and Whalley, other members of committee being absent.

The latter report was adopted.

MR. PRESIDENT:

We, your Committee on Printing, to whom was referred Senate bill No. 46, do hereby report the same back with the recommendation that it do pass with amendments.

E. T. WILSON, Chairman,
H. H. WOLFE,
E. B. HYDE.

MR. PRESIDENT:

We, your Committee on Printing, having had Senate bill No. 89 under consideration, do hereby report the same back without recommendation.

E. T. WILSON, Chairman,
H. H. WOLFE,
E. B. HYDE.

To the President of the Senate:

We, your committee on Public Buildings and Grounds, have had under consideration Senate bill No: 95, Relative to creating a board of capital commissioners, and beg to report it with the following amendments:

Section 3, line 9, amended so as to read "salary of not more than sixty dollars ($60) per month."

Section 5, line 5, amended so as to read "sixty dollars ($60) each per month," and recommend its passage without further amendments.

A. T. FARISS,
H. H. WOLFE,
Committee.

To the President and Members of the Senate of the State of Washington:

GENTLEMEN: Your committee to whom was referred Senate bill No. 64, An act relating to fire escapes, by Senator Fariss, have duly considered the same and beg leave to submit the following report, to wit:

First: Your committee would recommend that section five (5) be

amended by inserting the word "shall" between the words "allowed" and "fifty," in the third line, and by changing the word "forfeits" to "forfeit" in said line.

Second: By striking out the words "he forfeits" in the fifteenth line of section 5, and inserting the words "shall forfeit" in their stead.

Third: That section 6 be amended by inserting the word "shall" between the words "acts" and "forfeits," and by changing the word "forfeits" to "forfeit."

Fourth: That section 7 be amended by striking out the words "an action on the case or by indictment," and inserting the words "the proper action at law."

Your committee would recommend that the bill, as amended, do pass.

Respectfully submitted,

A. T. FARISS, Chairman,
H. H. WOLFE,
Committee.

Senator Houghton moved that in the future, committees making reports on bills to the Senate, must attach riders to said bills, and when the same is not done the secretary is hereby instructed to return said reports to the chairman of said committees.

Adopted.

MESSAGE FROM THE GOVERNOR.

The following was read:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, WASHINGTON, January 29, 1890.

To the Honorable President of the Senate:

I have this day signed and approved Senate bill No. 88, entitled "An act to provide for prosecuting public offenses on information."

ELISHA P. FERRY.

The president announced that he was about to sign House bill No. 74, which was done.

INTRODUCTION OF BILLS.

House bill No. 181, An act to provide grand jurors for the superior courts of this state.

Rules suspended, read first and second time by title, and referred to the Committee on Judiciary.

House bill No. 125, A bill for an act to secure creditors a just division of the estates of debtors who convey to assignees for the benefit of creditors.

Rules suspended, read first and second time by title, and referred to the Committee on Judiciary.

SPECIAL ORDER.

Senate bill No. 45, To create the office of state printer, was taken up and amended, read third time, and ordered to be engrossed.

The amendments were as follows:

Add to title the words "and declaring that an emergency exists."

Section 1 to read as follows: "That the office of state printer is hereby created, which office shall be filled by the governor, by and with the advice and consent of the Senate, until the next general election in November, 1892, and thereafter he shall be elected as other state officers are elected, and provided that so much of the duties of this office as may be required by the legislature at any time shall be performed in the town where the capital is located.

Section 2 was stricken out, and the sections following were renumbered.

In section 2 (new number) the word "elected" was changed to "appointed," and the word "election" changed to "appointment."

In section 6 (new number) the words "the duties required in the act relating to public printing and such other" were stricken out, and the word "such" inserted after "all" in the first line.

INTRODUCTION OF BILLS.

House bill No. 123, Relative to the appointment of a fish commission.

Rules suspended, read first and second time by title, and referred to the Committee on Public Revenue and Taxation.

House bill No. 103, To prevent bulls from running at large.

Rules suspended, read first and second time by title, and referred to the Committee on Agriculture.

PASSAGE OF A MEMORIAL.

House memorial No. 15, Relative to the location of a land office at Waterville.

Rules suspended, read first and second time by title; rules further suspended, read third time, and passed by the following vote:

Yeas: Fairweather, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Jones, Kinnear, Landes, Lawrence, Long, Luce, Owings,

Parkinson, Payne, Preston, Seaborg, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wolfe, Wood, Wooding—27.

Absent or not voting: Austin, Baker, Clough, Drum, Fariss, Kneeland, Rinehart, Wilson.

INTRODUCTION OF BILLS.

By Senator Parkinson: Senate bill No. 140, An act to create a county tract index.

Rules suspended, read first and second time by title, and referred to the Committee on Judiciary.

By Senator Whalley: Senate bill No. 141, An act approving and confirming a certain sale of lot No. 1, in block No. 19, in the city of Colfax, Whitman county, made on the 15th of May, 1889, by the said county of Whitman to J. H. Bellinger, and confirming the title of said J. H. Bellinger thereto.

Rules suspended, read first and second time by title, and referred to the Committee on Judiciary.

By Senator Wood: Senate bill No. 142, An act relating to the transfer of real property by corporations other than municipal.

Rules suspended, read first and second time by title, and referred to the Committee on Corporations.

By Senator Parkinson: Senate bill No. 143, An act to provide for the establishment and maintenance of a home for honorably discharged Union soldiers and marines, and also members of the state militia disabled while in the line of duty, and who are bona fide residents of the state.

Rules suspended, read first and second time by title, and referred to the Committee on Military.

By the Judiciary Committee: Senate bill No. 144, An act to provide for one additional judge for each of the counties of King, Pierce and Spokane, and declaring an emergency to exist.

Read first time, rules suspended, read second time by title, and placed on general file.

By Senator Kinnear: Senate bill No. 145, An act relating to the removal of clouds from, and quieting the title to, real estate.

Rules suspended, read first and second time by title, and referred to the Committee on Judiciary.

By Senator Preston: Senate bill No. 146, To confirm title to school and university lands heretofore sold and paid for in good faith.

Rules suspended, read first and second time by title, and referred to the Committee on State, Granted and School Lands.

ENGROSSED BILLS.

The Committee on Engrossed Bills offered the following reports:

MR. PRESIDENT:

Your standing Committee on Engrossed Bills beg leave to report that Senate bill No. 27, entitled "An act to prohibit bodies of men, other than the regular organized militia and troops of the United States, from drilling or parading with arms in this state," has been carefully compared with the original and found correctly engrossed.

Also, to report that Senate bill No. 119, entitled "An act to provide for the construction, repairing and protection of drains and ditches for agricultural, sanitary and domestic purposes, and to provide for the organization of drainage districts," has been carefully compared with the original and found correctly engrossed.

Also, to report that Senate bill No. 12, entitled "An act to establish a state normal school," has been carefully compared with the original and found correctly engrossed.

Very respectfully,

THOS. PAYNE, Chairman,
J. C. LAWRENCE.

PASSAGE OF BILLS.

Senate bill No. 119, Relative to drains and ditches, was passed by the following vote:

Yeas: Austin, Clough, Fairweather, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Jones, Kinnear, Kneeland, Landes, Lawrence, Long, Luce, Owings, Parkinson, Payne, Seaborg, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson, Wood — 29.

Absent or not voting: Baker, Drum, Preston, Rinehart, Wolfe, Wooding.

Senate bill No. 27 was, on motion of Senator Kinnear, laid on the table.

Senate bill No. 12 was, on motion of Senator Wilson, laid on the table.

SPECIAL ORDER.

Senate bill No. 128 was taken up, and the amendment reported by the committee adopted; placed on general file.

On motion of Senator Austin, the Committee on Privileges and Elections was increased to five members, and Senators Van Houten and Wilson were appointed on said committee.

Senator Kinnear moved that Senate bill No. 5, special order for this evening, be made a special order for 3:30 P. M. to-morrow.

On motion of Senator Kneeland, the Senate adjourned at 5:08 until 1:30 P. M. to-morrow.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, January 30, 1890.
1:30 o'clock P. M.

Senate called to order, pursuant to adjournment; the president in the chair.

Roll called; absent, Senators Baker, Landes, Rinehart and Wooding, who were excused.

Journal of yesterday read and approved.

Senator Long announced that the Committees on Municipal Corporations, States Prison, Roads and Bridges, and Public Morals had no further use for a clerk and could dispense with his services as committee clerk, so that he could be employed as assistant to Senate clerks.

Senator Snow offered a resolution of the Douglas county board of trade protesting against legislation looking to the creation of a railroad commission.

Referred to Committee on Corporations.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 131, entitled "An act to provide for the payment of the debt of the Territory of Washington, and declaring an emergency," have had the same under consideration, and now respectfully report the same back to the Senate with the recommendation that the bill do pass.

Your Committee on Judiciary, to whom was referred House bill No. 131, entitled "An act relative to the appointment of special deputies, marshals or policemen by sheriffs, mayors and other persons authorized by law to make such appointments," have had the same under consideration and now respectfully report the same back to the Senate with the following amendments, and recommend the passage of the same as amended:

Amendment 1: In the third line of the title of said bill strike out the word "mayors."

Amendment 2: In second line of section 1 strike out the words "mayor of a city."

Amendment 3: In thirteenth line of section 2 strike out all after the word "property."

Amendment 4: In fourth line of section 3, after the word "of," strike out the words "or hold himself or themselves out to anyone as."

Your Committee on Judiciary, to whom was referred Senate bill No. 82, entitled "An act providing for the release of sureties on official bonds and undertakings," have had the same under consideration, and now respectfully report the same back to the Senate, with recommendation that the bill pass.

Respectfully submitted,

J. R. KINNEAR, Chairman.

Report concurred in by Senators Houghton, Wood, Whalley and Payne, being all the members of said committee present.

MR. PRESIDENT:

Your standing Committee on Engrossed Bills beg leave to report that Senate bill No. 45, entitled "An act to create the office of state printer, to provide for the election, the term of office and qualification of said officer, and prescribing his duties, and declaring that an emergency exists," has been carefully compared with the original and found correctly engrossed.

Very respectfully,

THOS. PAYNE, Chairman.
J. C. LAWRENCE.

INTRODUCTION OF BILLS.

By joint Committee on Roads, Highways and Bridges: Senate bill No. 147, To prevent the obstruction of highways, and to abate nuisances on highways, and providing a penalty.

Rules suspended, read first and second times by title, and referred to the Committee on Roads, Bridges and Fences.

By Senator Watt: Senate bill No. 148, An act to establish normal schools for the State of Washington, at Lynden in Whatcom county, Cheney in Spokane county, Ellensburgh in Kittitas county, and Chehalis in Lewis county, and for the government control and management of the same.

Rules suspended, read first and second time by title, and referred to the Committee on Education.

By Senator Kinnear: Senate bill No. 149, An act declaring eight hours to constitute a legal work day on all state, county and municipal works.

Rules suspended, read first and second times by title, and referred to Committee on Labor and Labor Statistics.

By Senator Payne: Senate bill No. 150, An act to protect innocent purchasers of community real property.

Rules suspended, read first and second time by title, and referred to Committee on Judiciary.

By Senator Clough: Senate bill No. 151, An act to appropriate money to pay for material furnished and labor performed on account of the Washington School for Defective Youth.

Rules suspended, read first and second time by title, and referred to the Committee on State School for Defective Youth.

By Senator Wood: Senate bill No. 152, An act in relation to liens of mechanics, laborers and material men upon real property, and to amend chapter 138 of the code of Washington, relating to the same subject.

Rules suspended, read first and second time by title, and referred to the Judiciary Committee.

Senate bill No. 45, To create the office of state printer, reported correctly engrossed, was passed by the following vote:

Yeas: Austin, Clough, Drum, Fairweather, Fariss, Forsyth, Guilfoil, Hunsaker, Hyde, Kneeland, Lawrence, Long, Luce, Owings, Parkinson, Payne, Preston, Seaborg, Snow, Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wood — 27.

Nays: Houghton, Jones, Kinnear — 3.

Absent or not voting: Baker, Landes, Rinehart, Thompson (G. T.), Wooding.

The vote on the emergency clause was as follows:

Yeas: Austin, Clough, Drum, Fairweather, Forsyth, Guilfoil, Hunsaker, Hyde, Kneeland, Lawrence, Long, Luce, Owings, Parkinson, Payne, Preston, Seaborg, Snow, Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wood — 26.

Nays: Jones, Kinnear — 2.

Absent or not voting: Baker, Fariss, Houghton, Landes, Rinehart, Thompson (G. T.), Wooding.

SPECIAL ORDER.

House bill No. 79, Relative to the manufacture of grain sacks in the Walla Walla penitentiary, was taken up, and amended in committee of the whole.

Senator Drum in the chair.

The committee arose and reported the same to Senate as amended.

The president in the chair.

The amendments were adopted, and on motion of Senator Houghton the bill was made a special order for to-morrow at 2:15 P. M.

Senate bill No. 128, To amend an act relating to the sale of intoxicating liquors, was taken up.

Senator Parkinson in the chair.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that the House had passed House joint resolution No. 21, Relative to the committees of both houses on the School for Defective Youth visiting the institution at Vancouver and report thereon.

Also passed House memorial No. 16, In relation to the improvement of the Columbia river.

Also passed House memorial No. 17, For removing obstructions to navigation in the upper Columbia river.

Also passed House bill No. 185, An act to authorize county commissioners to issue bonds for road purposes; and has also passed the emergency clause therein.

Also passed House bill No. 92, An act for the appointment of state examiner, and defining his duties and fixing his compensation.

Has passed House bill No. 90, An act to create a Commission of Technical Instruction, and to establish a State Agricultural College and School of Science, and to declare an emergency, and also passed the emergency clause.

Also passed House bill No. 107, An act assenting to certain acts of congress donating lands and money to this state; and has also passed the emergency clause.

A call of the Senate was demanded by Senator Kneeland and others.

The following Senators answered to their names:

Present: Austin, Clough, Drum, Fairweather, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Jones, Kinnear, Kneeland, Lawrence, Long, Luce, Owings, Parkinson, Preston, Seaborg, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wood—30.

Absent: Baker, Landes, Payne, Rinehart, Wooding—5.

On motion of Senator Wood, further proceedings under the call were dispensed with.

The bill was read three times, amended by the additon to section 1 (proviso), "nor without the consent of the city council first obtained."

Ordered to be engrossed.

Senator Guilfoil was excused for the remainder of the week.

President in the chair.

Senate bill No. 5 was, on motion of Senator Whalley, laid on the table.

Senate bill No. 71, Relative to the duties of the governor, was passed by the following vote:

Yeas: Austin, Drum, Fairweather, Houghton, Hunsaker, Hyde, Jones, Kinnear, Lawrence, Long, Luce, Owings, Parkinson, Payne, Preston, Seaborg, Snow, Thompson (L. F.), Vestal, Watt, Whalley, Wolfe, Wood — 23.

Absent or not voting: Baker, Clough, Fariss, Forsyth, Guilfoil, Kneeland, Landes, Rinehart, Thompson (G. T.), Van Houten, Wilson, Wooding.

The emergency clause was passed by the following vote:

Yeas: Austin, Clough, Drum, Fairweather, Fariss, Forsyth, Houghton, Hunsaker, Hyde, Jones, Kinnear, Kneeland, Lawrence, Long, Luce, Owings, Parkinson, Payne, Preston, Seaborg, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wolfe, Wood — 29.

Absent or not voting: Baker, Guilfoil, Landes, Rinehart, Wilson, Wooding.

SPECIAL ORDER.

Senate bill No. 100, Relating to transportation companies forwarding freight, was amended as follows:

After the word "destination" in section 1, add "by the route directed by the shipper."

Add after shipper "or if no directions are given by the shipper, then to any connecting company whose line or route reaches nearest to the point to which such freight is marked."

The bill was ordered to be engrossed.

Senator Payne was excused from further attendance to-day.

Senate bill No. 16, Relative to powers and duties of the superior courts, was passed by the following vote:

Yeas: Austin, Clough, Drum, Fairweather, Fariss, Houghton, Hunsaker, Hyde, Jones, Kinnear, Kneeland, Lawrence, Long, Luce, Owings, Parkinson, Preston, Seaborg, Snow, Thompson (G.

T.), Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wolfe, Wood—26.

Absent or not voting: Baker, Forsyth, Guilfoil, Landes, Long, Payne, Rinehart, Wilson, Wooding.

On motion of Senator Kinnear, the title was amended by adding "and declaring an emergency."

The emergency clause was adopted, as follows:

Yeas: Austin, Clough, Drum, Fairweather, Fariss, Forsyth, Houghton, Hunsaker, Hyde, Jones, Kinnear, Kneeland, Lawrence, Long, Luce, Owings, Parkinson, Preston, Seaborg, Snow, Thompson (G. T.), Thompson (L. F.), Vestal, Watt, Whalley, Wilson, Wolfe, Wood—28.

Absent or not voting: Baker, Guilfoil, Landes, Payne, Rinehart, Van Houten, Wooding.

SPECIAL ORDER.

House bill No. 27, To regulate the practice of medicine, was, on motion of Senator Whalley, made a special order for Monday, February 3d, at 2:30 P. M.

By consent, Senate memorial No. 26, Relative to opening a port of entry on the Columbia river, in Pacific county, was introduced by Senator Jones, by request.

Rules suspended, read first and second time by title, read third time, and referred to Committee on Memorials.

House bill No. 193, To compel employers of females to furnish seats for such female employes, was taken up, and amended, and, on the question, shall the bill pass, it failed by the following vote:

Yeas: Forsyth, Hunsaker, Kinnear, Luce, Parkinson, Thompson (G. T.), Van Houten, Vestal, Wolfe, Wood—10.

Nays: Austin, Drum, Fariss, Houghton, Hyde, Jones, Kneeland, Lawrence, Long, Owings, Preston, Seaborg, Snow, Whalley—14.

Absent or not voting: Baker, Clough, Fairweather, Guilfoil, Landes, Payne, Rinehart, Thompson (L. F.), Watt, Wilson, Wooding.

Senator Fairweather was excused for the rest of the day.

Senate bill No. 86, An act relating to the filing of transcripts of judgments, etc., was passed by the following vote:

Yeas: Austin, Drum, Fariss, Houghton, Hunsaker, Hyde, Jones, Kinnear, Kneeland, Lawrence, Long, Luce, Parkinson, Preston, Seaborg, Snow, Thompson (G. T.), Van Houten, Vestal, Watt, Whalley, Wolfe, Wood—23.

Absent or not voting: Baker, Clough, Fairweather, Forsyth, Guilfoil, Landes, Owings, Payne, Rinehart, Thompson (L. F.), Wilson, Wooding.

On motion of Senator Drum, the title was amended by inserting "and recording" after the word "filing".

On motion of Senator Houghton, the Senate, at 5 P. M., adjourned until 1:30 P. M. to-morrow.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, January 31, 1890.
1:30 o'clock P. M.

Senate called to order, pursuant to adjournment; the president in the chair.

Roll called; all present except Senators Baker, Guilfoil, Rinehart and Wooding, who were excused.

Journal of yesterday read and approved.

Senator Austin moved that 500 copies of the testimony taken before the Committee on State Tide Lands be printed for distribution.

So ordered.

Senator L. F. Thompson presented a lengthy petition from the citizens of Tacoma, Pierce county, asking for an additional superior judge in that county, and calling attention to the large number of cases on the docket.

Referred to the Judiciary Committee.

A communication was read from Local Assembly No. 4,944 K. of L., of Gilman, King county, asking the Senate to pass Senate bills Nos. 19, 4, 7, 26, 29, 9, and House bill No. 89; and also calling special attention to Senator J. R. Kinnear's bill relating to the Australian system of voting.

Placed on general file.

Senator Payne asked leave to withdraw Senate bill No. 150 to perfect it.

Consent was given.

The president gave notice that he had assigned former Committee Clerk Fox to assist in enrolling and engrossing bills.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 117, entitled "An act to amend chapter 141, of the Code of Washington, and to provide for the filing of chattel mortgages instead of recording them," have duly considered the same, and have prepared a substitute therefor, entitled "An act relating to chattel mortgages, and repealing chapter 141 of the Code of Washington Territory, relating to the same subject," which substitute they now present and recommend its passage.

Your Committee on Judiciary, to whom was referred Senate bill No. 140, entitled "An act to create a county tract index," have had the same under consideration, and now respectfully report the same back to the Senate without recommendation. Respectfully submitted,

J. R. KINNEAR, Chairman.

Report concurred in by Senators Payne, Wood, Houghton and Whalley, being all the members of said committee present.

MR. PRESIDENT:

Your Committee on Commerce, to whom was referred Senate bill No. 92, An act relating to the inspection and measurement of logs, the formation of lumber districts and the appointment of lumber inspector, and repealing chapter 207 of the code and amendments thereto, beg leave to report that they have given the same careful consideration, and return it with the following amendment, and, when so amended, recommend that it do pass.

Amend section 1: In line 30 (line 11 of printed bill), after the word "Columbia" insert the words "Franklin, Asotin," so the sentence will read: "The territory embraced in the counties of Walla Walla, Columbia, Franklin, Asotin and Garfield shall constitute the eighth district."

Amend section 1: After the word "district," in the thirty-fifth line (line 13 of printed bill), insert the words "the territory embraced in the counties of Douglas, Adams, Lincoln and Okanogan shall constitute the tenth district.

Amend section 5: In line 3 (line 2 of printed bill) after the word "time" strike out the words "he appoints" and after the word "inspectors" add the words "are appointed." It will then read: "Their office at the time such inspectors are appointed."

Amend section 7 by striking out all after the word "measured" in the third line (line 1 of the printed bill) and insert "at the option of the owner of said logs." The section will then read: "All logs bartered or sold in the districts aforesaid shall be scaled and measured at the option of the owner of said logs."

Amend section 9 by striking out all after the word "determined" in line 20 (line 7 of printed bill) and in lieu thereof insert the words "shall be the Scribner Lumber and Log Book, as copyrighted in 1882 by G. W. Fisher, of Rochester, New York."

Amend section 11: In line 7 (line 3 of printed bill) after the word "exceeding" strike out the word "four" and insert the word "three," and

after the word "feet" in line 8 (line 3 of printed bill) strike out the word "five" and insert the word "four," so that it will read: "For every boom or raft not exceeding 300,000 feet, 4 cents per 1,000 feet."

Also, Amend section 11, line 10 (line 4 of printed bill): After the word "over" strike out the word "four" and insert the word "three," and in line 11 (line 4 of printed bill) after the word "three" strike out the words "and one-half," so that it will read: "For all booms or rafts over 300,000 feet, 3 cents per 1,000."

Respectfully,

B. A. SEABORG,
J. HUNSAKER,
J. H. JONES.

MR. PRESIDENT:

Your Committee on Memorials, to whom was re-committed House memorial No. 14, herewith return same without change or further recommendation.

C. E. FORSYTH,
B. A. SEABORG.

Senator Whalley moved that the memorial be taken up and put on its passage.

Adopted.

The memorial was read a third time, and passed by the following vote:

Yeas: Austin, Clough, Drum, Forsyth, Hunsaker, Jones, Kinnear, Kneeland, Landes, Lawrence, Long, Owings, Parkinson, Payne, Preston, Seaborg, Thompson (L. F.), Vestal, Whalley, Wolfe, Wood — 21.

Nays: Houghton, Hyde, Snow, Van Houten — 4.

Absent or not voting: Baker, Fairweather, Fariss, Guilfoil, Luce, Rinehart, Thompson (G. T.), Watt, Wilson, Wooding.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your joint Committee on Roads, Bridges and Fences, to whom was referred Senate bill No. 125, Relating to the establishment of roads, have had the same under consideration and report amendments to the following sections, 14, 28, 31, 33 and 65, and recommend its passage with the amendments.

J. H. LONG, Chairman Senate Committee.
W. R. MOULTRAY, Chairman House Committee.

The chief clerk of the House appeared, and announced that the speaker had signed House memorial No. 15, Relative to the location of a district land office at Waterville, Washington, which had passed both houses and been reported correctly enrolled, and the same is transmitted for the signature of the president.

Also, signed House bill No. 205, An act to provide for the paying for the printing of the reports of the late territorial officers,

and declaring an emergency to exist, which has passed both houses and been correctly enrolled, and the same is transmitted to the Senate for the signature of the president.

Also, passed House bill No. 169, An act to restrain swine from running at large, providing penalties, etc.

Also, passed House memorial No. 18, In relation to the improvement of the Cowlitz river.

Also, passed House bill No. 189, To establish a uniform standard of weights and measures in this state, providing for a state sealer and inspector of the same.

Also, passed House bill No. 208, An act providing for an additional number of superior courts, and declaring that an emergency exists, and has also passed the emergency clause.

Also, passed House bill No. 99, An act to locate the state fair of Washington.

The House has adopted the report of the committee of conference, amending House bill No. 130, A bill to authorize the appointment of commissioners of deeds, and passed the bill as amended.

FROM THE STATE AUDITOR.

A communication was read from T. M. Reed, auditor of state, presenting a communication from John Miller Murphy, late territorial auditor, accompanied with certain unpaid claims against the state, with request that the same be submitted to the legislature for payment, under section 2583 of the Code of Washington.

Referred to the Committee on Revenue and Taxation.

ENGROSSED BILLS.

The Committee on Engrossed Bills made the following report:

MR. PRESIDENT:

Your standing Committee on Engrossed Bills beg leave to report that Senate bill No. 100, entitled "An act requiring all transportation companies to promptly forward all freight, and making them liable for damages when failing promptly to forward the same," and Senate bill No. 128, entitled "An act to amend section 1 of an act entitled 'An act to regulate, restrain, license or prohibit the sale of intoxicating liquors,' enacted by the legislative assembly of the Territory of Washington, and approved on the second day of February, 1888," have been carefully compared with the originals and found correctly engrossed.

THOS. PAYNE, Chairman.
J. C. Lawrence.

SPECIAL ORDER.

House bill No. 79, Relative to purchasing the necessary plant for the manufacture of grain sacks at the Walla Walla penitentiary.

Senator Houghton moved the following amendment (Senator Parkinson in the chair): Insert before the beginning of section 3, "In case the said board of commissioners shall decide to manufacture grain sacks as provided in section 1 of this act."

Adopted.

The bill was passed by the following vote:

Yeas: Austin, Clough, Drum, Fairweather, Fariss, Forsyth, Houghton, Hunsaker, Hyde, Jones, Kinnear, Kneeland, Landes, Lawrence, Long, Luce, Owings, Parkinson, Payne, Preston, Seaborg, Snow, Thompson (G. T.), Thompson (L. F.), Vestal, Watt, Whalley, Wilson, Wolfe, Wood — 30.

Absent or not voting: Baker, Guilfoil, Rinehart, Van Houten, Wooding.

SPECIAL ORDER.

Senate bill No. 56, Relative to a home for soldiers, sailors and marines, was taken up.

On motion of Senator Drum, the bill was made a special order for Tuesday, February 4, at 2:30 P. M.

Senator Drum, on motion, was excused until Monday.

House joint resolution No. 21, Relative to the Committee on Defective Youth of both houses to visit the Vancouver School for Defective Youth, was read and failed of passage by *viva voce* vote.

House memorial No. 16: Rules suspended, read first and second times by title; rules further suspended, read third time, and passed by the following vote:

Yeas: Austin, Clough, Fairweather, Fariss, Houghton, Hunsaker, Jones, Kinnear, Kneeland, Landes, Lawrence, Long, Luce, Payne, Preston, Seaborg, Snow, Van Houten, Vestal, Watt, Wilson, Wolfe, Wood — 23.

Absent or not voting: Baker, Drum, Forsyth, Guilfoil, Hyde, Owings, Parkinson, Rinehart, Thompson (G. T.), Thompson (L. F.), Whalley, Wooding.

The president announced that he was about to sign House bill No. 205 and House memorial No. 15, which was done.

House memorial No. 17 was read first and second time under suspension of the rules; the rules were further suspended, and the memorial passed by the following vote:

Yeas: Austin, Fairweather, Fariss, Forsyth, Hunsaker, Jones, Kneeland, Landes, Lawrence, Long, Luce, Owings, Parkinson, Seaborg, Snow, Thompson (G. T.), Van Houten, Vestal, Watt, Wood — 20.

Absent or not voting: Baker, Clough, Drum, Guilfoil, Houghton, Hyde, Kinnear, Payne, Preston, Rinehart, Thompson (L. F.), Whalley, Wilson, Wolfe, Wooding.

By consent, Senator Houghton offered Senate concurrent resolution No. 32, Providing that no new business be presented to either the Senate or House, except reports of standing committees, after February 12th.

The yeas and nays were unanimously called for, and the resolution was passed by the following vote:

Yeas: Austin, Clough, Fairweather, Fariss, Forsyth, Houghton, Hunsaker, Hyde, Jones, Kinnear, Kneeland, Landes, Lawrence, Long, Luce, Preston, Seaborg, Snow, Thompson (G. T.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wood — 26.

Absent or not voting: Baker, Drum, Guilfoil, Owings, Parkinson, Payne, Rinehart, Thompson (L. F.), Wooding.

House bill No. 185 (substitute for House bill No. 128): Rules suspended, read first and second time by title, and referred to Committee on Roads and Highways.

House bill No. 92: Rules suspended, read first and second time by title, and referred to Committee on Public Revenue and Taxation.

House bill No. 90: Rules suspended, read first and second time by title, and referred to Committee on Education.

House bill No. 107: Rules suspended, read first and second time by title, and referred to Committee on Education.

House bill No. 169: Rules suspended, read first and second time by title, and referred to the Committee on Agriculture.

House memorial No. 18: Rules suspended, read first and second time by title; rules further suspended, read third time, and passed by the following vote:

Yeas: Austin, Clough, Fariss, Hunsaker, Kinnear, Kneeland, Landes, Long, Luce, Owings, Parkinson, Payne, Seaborg, Snow, Thompson (L. F.), Vestal, Watt, Whalley, Wood — 19.

Nays: Forsyth.

Absent or not voting: Baker, Drum, Fairweather, Guilfoil,

Houghton, Hyde, Jones, Lawrence, Preston, Rinehart, Thompson (G. T.), Van Houten, Wilson, Wolfe, Wooding.

House bill No. 189: Rules suspended, read first and second time by title, and referred to the Committee on Manufactures.

House bill No. 208: Rules suspended, read first and second time by title, and referred to the Committee on Judiciary.

House bill No. 130 was laid on the table.

House bill No. 99: Rules suspended, read first and second time by title, and referred to the Committee on Agriculture.

By the Judiciary Committee: Senate bill No. 143, substitute for Senate bill No. 117, An act relating to chattel mortgages, and repealing chapter 141 of the Code of Washington Territory, relating to same subject.

Placed on general file.

By Senator Parkinson: Senate bill No. 154, An act to prevent fraud in the sale of fruit trees.

Rules suspended, read first and second times by title, and referred to the Committee on Agriculture.

REPORT OF JUDICIARY COMMITTEE.

By consent Senator Kinnear offered the following report:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred House bill No. 127, entitled "An act to prevent banking institutions from receiving moneys on deposit when insolvent," have had the same under consideration, and now respectfully report the same back with the recommendation that the bill be indefinitely postponed.

Respectfully submitted,

J. R. KINNEAR, Chairman.

Report concurred in by Senators Houghton, Wood, Whalley and Payne, being all the members of said committee present.

The report of the committee was adopted.

By consent, Senator Kneeland offered Senate bill No. 155, An act to prevent gaming in the State of Washington.

Rules suspended, read first and second times by title, and referred to the Committee on Public Morals.

Senate bill No. 100, Relative to transportation companies forwarding freight, was passed by the following vote:

Yeas: Austin, Clough, Fairweather, Forsyth, Hunsaker, Hyde, Jones, Kinnear, Kneeland, Landes, Lawrence, Long, Luce, Owings,

Parkinson, Payne, Seaborg, Snow, Van Houten, Vestal, Watt, Whalley, Wilson, Wood — 24.

Absent or not voting: Baker, Drum, Fariss, Guilfoil, Houghton, Preston, Rinehart, Thompson (G. T.), Thompson (L. F.), Wolfe, Wooding.

Senate bill No. 128 was placed on its final passage, and failed by the following vote:

Yeas: Austin, Clough, Fairweather, Forsyth, Hyde, Long, Luce, Owings, Payne, Thompson (G. T.), Van Houten, Vestal, Watt, Wilson — 14.

Nays: Hunsaker, Jones, Kinnear, Kneeland, Landes, Lawrence, Parkinson, Preston, Seaborg, Snow, Thompson (L. F.), Whalley, Wolfe, Wood — 14.

Absent or not voting: Baker, Drum, Fariss, Guilfoil, Houghton, Rinehart, Wooding.

Senate bill No. 11, An act to provide for the location of the Agricultural College of the State of Washington.

Senator Lawrence offered the following amendment, which was adopted.

In section 3, after the word "provided," strike out the words "shall not exceed $30 per acre," and insert "not exceeding 320 acres shall not exceed one dollar."

On motion of Senator Whalley, the bill was considered engrossed, and put on its final passage.

President in the chair.

The bill was passed by the following vote:

Yeas: Clough, Fariss, Forsyth, Jones, Kinnear, Kneeland, Landes, Lawrence, Parkinson, Payne, Snow, Thompson (G. T.), Van Houten, Vestal, Watt, Whalley, Wilson, Wood — 18.

Nays: Austin, Fairweather, Houghton, Hunsaker, Hyde, Long, Luce, Owings, Preston, Seaborg, Thompson (L. F.), Wolfe — 12.

Absent or not voting: Baker, Drum, Guilfoil, Rinehart, Wooding.

On motion of Senator Wilson, the Senate adjourned at 5:20 until 10 A. M. to-morrow.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 1, 1890.
10 o'clock A. M.

Senate called to order at 2 P. M., pursuant to adjournment; president in the chair.

Roll call; all present except Senators Baker, Drum, Fairweather, Forsyth, Guilfoil, Rinehart and Wooding, who were excused.

Journal of yesterday read and approved.

Senator Houghton, by general consent, made a motion to reconsider the vote by which House joint resolution No. 210 failed of passage yesterday, and asked that it be considered on Tuesday next.

Adopted.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your Committee on Agriculture, to whom was referred House bill No. 173. An act for the preservation of large game, have had the same under consideration, and respectfully return the same to the Senate with amendment, and the recommendation that it do pass as amended.

L. F. THOMPSON, Chairman,
J. H. LONG,
A. T. FARISS.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred House bill No, 181, entitled "An act to provide grand jurors for the superior courts of this state," have had the same under consideration, and now respectfully report the same back to the Senate with the recommendation that the bill pass. Respectfully submitted,

J. R. KINNEAR, Chairman.

Report concurred in by Senators Whalley, Wood, Payne and Houghton, said members being all of said committee present.

A communication was read from the superintendent of public instruction relative to the printing of copies of the last report of the superintendent of public instruction for distribution, which was, on motion of Senator Van Houten, referred to the Committee on Education.

Senate bill No. 28, Relative to court commissioners, was taken up, the committee amendments adopted, and section 6, after the word "services," was stricken out.

The bill was ordered to be engrossed.

Senate bill No. 46, To provide for the state printing, was taken up.

The Senate went into committee of the whole.

Senator Long in the chair.

The committee arose and reported the bill to the Senate with amendments.

President in the chair.

The amendments were adopted, the title was amended, and the bill ordered to be engrossed.

Senators Thompson and Clough were excused from further attendance to-day.

Senate bill No. 79, Relative to cities and towns extending their credit, was taken up, amended, and, on motion of Senator Wilson, the bill was considered engrossed and placed on its final passage.

Passed by the following vote:

Yeas: Austin, Fariss, Houghton, Hunsaker, Hyde, Jones, Kinnear, Kneeland, Landes, Lawrence, Long, Luce, Owings, Parkinson, Payne, Preston, Seaborg, Snow, Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wood — 25.

Absent or not voting: Baker, Clough, Drum, Fairweather, Forsyth, Guilfoil, Rinehart, Thompson (G. T.), Thompson (L. F.), Wooding.

The emergency clause was passed by the following vote:

Yeas: Austin, Fariss, Houghton, Hunsaker, Hyde, Jones, Kinnear, Kneeland, Landes, Lawrence, Long, Luce, Owings, Parkinson, Payne, Preston, Seaborg, Snow, Thompson (G. T.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wood — 26.

Absent or not voting: Baker, Clough, Drum, Fairweather, Forsyth, Guilfoil, Rinehart, Thompson (L. F.), Wooding.

House bill No. 173, An act for the preservation of large game, was, on motion of Senator Wilson, taken up.

The amendment of the committee was adopted and the bill passed by the following vote:

Yeas: Fariss, Houghton, Hunsaker, Hyde, Kinnear, Kneeland, Landes, Lawrence, Long, Luce, Owings, Parkinson, Payne, Preston, Seaborg, Snow, Thompson (G. T.), Van Houten, Vestal, Whalley, Wilson, Wolfe, Wood — 23.

Nays: Austin, Watt — 2.

Absent or not voting: Baker, Clough, Drum, Fairweather, Forsyth, Guilfoil, Jones, Rinehart, Thompson (L. F.), Wooding.

On motion of Senator Houghton, the Senate agreed with the amendment of the House in striking out the emergency clause of the bill.

Senator Hunsaker was, on motion, excused for an indefinite time.

On motion of Senator Snow, the Senate, at 12 o'clock, adjourned until Monday at 2 P. M.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 3, 1890.
2 o'clock P. M.

Senate called to order pursuant to adjournment; the president in the chair.

Roll call; all present except Senators Baker, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Kinnear and Watt, all of whom were excused on account of sickness.

The journal of proceedings of Saturday read and approved.

Senate bill No. 27 was taken up.

On motion of Senator Luce the bill was laid on the table.

Senator L. F. Thompson offered a petition of citizens and militia of Tacoma and Vancouver for an increase of the regimental districts in the state.

Referred to the Committee on Military.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your Committee on Agriculture, to whom was referred Senate bill No. 54, An act to prevent certain animals from running at large, have had the same under consideration, and hereby recommend the indefinite postponement of the same.

Also, House bill No. 64, An act to protect stock-breeders, and hereby recommend its passage.

Senate bill 94, an act to encourage the destruction of blue jays, and hereby recommend a substitute herewith submitted.

House bill No. 106, An act defining the duties of persons running traction engines upon the public highways, and with an amendment, recommend its passage.

Senate bill No. 110, An act to repeal chapter 70 of the Laws of the Legislative Assembly of 1887 and 1888, relative to the licensing of animals, with amendment, and recommend its passage.

House bill No. 99, An act to locate the state fair, and return the same with the recommendation that it be indefinitely postponed.

House bill No. 102, An act to prevent bulls from running at large during certain seasons, and hereby recommend a substitute herewith submitted.

L. F. THOMPSON, Chairman,
J. H. LONG.

MR. PRESIDENT:

Your Committee on Military, to whom was referred Senate bill No. 143, An act to provide for the establishment and maintenance of a Soldiers' Home, etc., have had the same under consideration, and return the same to the Senate with the recommendation that it be indefinitely postponed, it being in the judgment of the committee inexpedient at this time to appropriate any money for such a purpose.

HENRY LANDES, Chairman.
H. W. FAIRWEATHER.

Senate bill No. 143 was indefinitely postponed.

Senate bill No. 54 was indefinitely postponed.

Senate bill No. 99 was indefinitely postponed.

The Committee on Memorials made the following report:

MR. PRESIDENT:

Your Committee on Memorials, to whom was referred Senate memorial No. 26, herewith return the same with the recommendation that it do not pass.

C. E. FORSYTH,
B. A. SEABORG.

Senate memorial No. 26 was, on motion of Senator Owings, indefinitely postponed.

The Tide Lands Committee, through the chairman, made a lengthy report. On motion of Senator Austin, 500 copies were ordered to be printed, along with the testimony taken by said committee.

REPORT OF TIDE LANDS COMMITTEE.

To the Honorable Senate and House of Representatives of the State of Washington:

GENTLEMEN—Your joint committee, to whom was delegated the duty of collecting data and testimony concerning the tide lands of the State of Washington, having discharged the said duty, beg leave to submit the following report, viz.:

Your committee, having organized for that purpose, proceeded on the 18th of January, 1890, to the city of Aberdeen and the city of Hoquiam, in the county of Chehalis, where the testimony herewith submitted, designated as the testimony taken at said points, was taken; that said committee then returned to the city of Olympia, from whence they proceeded to the city of Tacoma, in Pierce county, where, after taking certain testimony, herewith submitted, the said committee, having had the steamer

Washington tendered it, proceeded by said means to the cities of Seattle, Port Townsend, Fairhaven, Sehome and Whatcom, respectively, and in the order named took testimony at each of the said named places, which said testimony is all herewith submitted and made a part hereof.

Your committee, at all the points named, extended to the citizens of the state a full opportunity of expressing their views as to the manner of disposing of the said tide lands. Your committee also report and recommend the said testimony so taken as a popular exposition of all the facts and circumstances showing all the varied conditions and interest at the different points named, by which the proper manner of disposing of the said tide lands may be arrived at, in order that the interests of the state, as well as all kinds of claimants, may be conserved, keeping always in view the concession of the state's absolute ownership of said lands, at the same time keeping in view the equitable claims of such claimants.

Your committee further report, that it is the sense of the majority of the persons with whom your committee came in contact that the portion of said tide lands lying in front of the incorporated cities should be appraised and sold under the provisions of law at the earliest date conducive to a safe disposition of the same, in order that the interests of commerce, manufactures and the growth and development of commercial centers may be accelerated.

Your committee also recommend, that legislation of a character necessary to the proper appraisal of permanent improvements on tide lands and such proper pre-emptive or preference rights of the occupants of such lands should be enacted at the earliest moment consistent with sound legislative action.

Your committee further report, that in considering the mass of testimony taken and in preparing and reporting the bill or bills necessary to the proper solution of both the tide lands and harbor lines question, said committee will require further time, and that the said committee are now engaged in the preparation of the said bills.

Your committee further report, that in the discharge of their duty as aforesaid they traveled the distance of 644 miles.

Respectfully submitted,

C. G. AUSTIN,
Chairman Senate Committee.

GEO. BROWNE,
Chairman House Committee.

EVIDENCE TAKEN BEFORE THE TIDE LAND COMMISSION.

SEHOME.

SEHOME, WASHINGTON, January 25, 1890.

Mr. J. L. Quackenbush: I have no interest in the tide lands, other than as a citizen. It is my opinion that the state has no power, under the constitution, to make any disposition of any tide lands in front of any of the incorporated towns. I take it for granted that the tide lands belong

to the state. My opinion is that the land should be leased, and not sold. The harbor line should not be less than thirty (30) feet at outer rim. Think the greatest number of persons possible should be made the tenants of the state on the tide lands. Think the law should give the right to re-lease to the improver and lessees of lands at the enhanced value or rental. I think that there would be no doubt that people would improve on leases, as they have already done so without leases. Think leases better for people and state.

Mr. C. W. Dorr: I assume that the state owns tide lands, and has the right to dispose of the same inside of the harbor lines. Think they should be sold absolutely, and good title made by the state; that the person who has made improvements should have preference right of purchase, regardless of whether or not he is the littoral or riparian owner. If riparian owner sits by and allows improvements—is barred of rights (I mean by improvements substantial buildings and wharves, docks, or any substantial improvements), he ought to have first chance to buy. Think persons who have simply staked or piled in lands not entitled to any rights or consideration. If the riparian owner should have made improvements and failed to purchase, then the public should have the right to come in and bid. I think the county commissioners the proper persons to appraise. Do not think the lands ought to be appraised at any exorbitant prices. I don't think the oyster claim men ought to be recognized at all. There are a number of transplanted oyster beds here. I know of three or four oyster claims of thirteen acres each. In no instance have the oyster men the littoral right. The boundary of Whatcom and Sehome is identical, but the town of Whatcom fronts south; we front west, and thus conflict with each other. Think there should be provision of law to permit two or more towns under the same harbor line.

Mr. Edward Cosgrove: Mr. Dorr has stated my views. I own some land on shore, and would like to buy some of the tide lands in front of my property, and have piled in what I want. Think it would be wrong to deprive the person who has improved of the land without giving him preference right of purchase. Think we ought to have 24 feet at low tide for harbor line, although it might require more. Mr. Dorr thinks 30 feet, and not any less should be the depth of water.

Mr. G. A. Cooper: I think I can endorse Mayor Moran's theory on this question, being the owner of a saw mill on the tide lands; own no shore lands; have never been enjoined, but was encouraged. Think you could not find very many on this bay who had made improvements who does not expect a title from the state. Think a board of appraisers should be appointed, who would apprise the lands with reference to the local value of the same. Think a state board of appraisers might err in appraising, but a state board of appraisers would be better, as local boards would not be likely to grasp the situation.

Mr. A. H. Morris: I assume that the state owns and has a right to dispose of the state tide lands. Think they should be sold, as the owner of

the title would be more likely to improve. Think a state board should appraise, and not the county commissioners. Think the parties who have gone upon these lands in good faith and improved should have preference right to purchase within a reasonable time; think three months should be ample time. There should be some way to determine what was valuable and permanent improvements, and that the persons who have merely piled in some of the lands, but had made no other valuable improvements, should have no consideration. Don't think the bank owner has any rights, if the state owns the lands below. Should think harbor line should not be less than thirty feet.

Mr. M. L. Jameson: Believing the state owns tide lands, think they should be sold, and ought to be appraised by the county commissioners. Think no improvements not works of utility should be considered in determining what was valuable or permanent improvements. Think commissioners would have best means of knowing local values. Think the value should be the same as what lands were worth before they were improved. Think as a basis of valuation, the value of upland should be taken. Think there are three hundred acres of tide lands proper in front of Sehome and Whatcom, and only about ten acres of it improved. Think those lands should be worth at least $1,000 per acre, now immediately in front of the cities. Don't think parties who have contributed so largely to the value of these lands, by improving them, should be compelled to pay the state this enhanced value, but should have the land at its value at the time he commenced to improve.

Mr. Dorr (re-called): I think littoral or riparian owner has equity in tide lands in front of his land when the same have not been improved by any other person. I think there are at least one thousand acres of tide lands in front of Whatcom and Sehome. Mr. Quackenbush thinks there are three thousand acres in front of the three cities.

Mr. S. D. Wyman: We put a mill out on tide lands and are willing to pay for what lands we took on the basis of its value when we took it. My best judgment would be to sell the lands; think that the best policy. We expect to build shipping dock and increase capacity of mill to ninety thousand. Our firm is W. B. Martin & Company. Think legislature should take into consideration the improvements put upon lands by holders. Those who have improved lands should have it at the price of unimproved lands of this character.

SEATTLE.

SEATTLE, WASH., January 23, 1890.

Mr. T. E. Jones: Think it generally conceded that the tide lands belong to the state. With this in view I have constructed wharves and other improvements; others have erected other improvements, such as foundations, boiler shops, etc., etc. We went on to the land and made improvements by driving piles around a piece of ground and making an enclosure, after which we filed a claim in the auditor's office. Our improvements are about one block in width and about three blocks long.

We are not bank owners. We consider we have given the land improved value by the improvements we have made on it. We want the first right to purchase at a valuation, and not by a competitive bidding. We have had the lands about two years. We have been enjoined by the Seattle Improvement Company, who were bank owners; the injunction was dissolved. We are holding adversely to the upland owners. We went on the land and made considerable improvements before we were enjoined. At extreme high tide light draft boats could go between us and the shore line. There are a number of claimants holding adversely to bank owners. We have a roadway to connect with the bank, and connect with the streets of Seattle. I think a special board should be appointed to appraise. I would be opposed to putting up the tide lands in small lots to the highest bidder.

Mr. W. R. Frost: I am president of the Hall & Paulson Furniture Company. We hold some lands outside of bank line. We had our factory on this land before the fire of last June. We borrowed money to rebuild, and have wharved the ground over. We have not been enjoined. We ought to get a title from the state so that the bankers would lend us money so that we could put up substantial improvements. Our land has been covered by Valentine and McKee scrip. I think the appraisement would be better made if made by a local board. I like the bill providing for appraisal by county commissioners. D. S. Maynard was the original owner, and the railroad company had complete claim of title. I think it would be a good plan to give persons, who have improved, the prior right of purchase. If the land was left to be sold to the highest bidder, we would be deprived of our chance in competition. If the upland owner makes no objection, a person can acquire rights in property improved. I think Moultray's bill fair, and, with slight amendments, should pass.

Mr. J. M. Frink: Am superintendent of Washington Iron Works and Seattle Electric Light Company. Both institutions are on tide lands. I think the riparian owners have the right to the tide lands. We think we have the right to the lands we occupy, and also the right to dock out to deep water. We don't concede the state's title; but think, if it has any, it has no right to the value of the land made so valuable by our improvements. There are some persons occupying between our lands and deep water. Our lands are covered with scrip. Not in our interest. Our plant does not go to deep water, but we insist on our right to dock to deep water. Think the riparian right paramount to all others. Think that if riparian owner had failed to improve, others might improve and acquire equities. Think if the tide lands had not been improved this city would not have been built. I think it would be an injustice to put the present value upon the tide lands as they now stand improved. There are from two thousand five hundred to three thousand acres here of tide lands.

Mayor Moran: I am not a bank owner. It is a full mile in distance from our works. The Seattle, Lake Shore & Eastern Railroad skirt the

water front and make it impossible to build marine ways. I think the people who have gone upon the tide lands and have improved them should have a preference right of purchase. I think the Clark bill will protect everybody and that it meets my approval. Nine-tenths of the city is located upon tide lands (business and commerce). The improvements on these lands only, are taxed, nothing below meander line is taxed. Approximate value of improvements on Seattle tide lands, seven to eight millions. Think the lands should be sold and not leased, so that substantial improvements might be made (see notes harbor line). Our lands are covered by scrip locations. Think lines should be run from shore line to a common point, and then no one would have nothing. Think county commissioners should appraise. I think if the Clark bill was passed improvements would go on. Think that on a bold shore, riparian owners have exclusive right to go to deep water.

Mr. H. W. McNeil: Am resident manager of the Oregon Improvement Company. I think in a broad way the state ought to sell the tide lands so that people who want to improve them can do so in a permanent way. In selling them, I believe there is no more equitable way to treat them than to allow the persons owning the riparian rights precedence, especially if they have improved them in the interest of commerce and manufacturing. I also think it would make a hardship upon those who have improved the lands without riparian rights if they could not get preference right of purchase from the riparian owner, and in this case the state ought to do equity in this matter. I think the whole Sound should be considered together, and not in any manner localize the question. A state commission created, would reach the desired end, but in case local boards were appointed, then should be an appeal to a state board and not to a court and jury. I think the land should be valued, not with reference to the value of the improvements, or the fact that land has been made under these improvements. I think any man or company who has pioneered Puget Sound is entitled to what he gets, and he should not be taxed for exhibiting the nerve and enterprise necessary to open up the country. I think the policy of adopting a fund price, as in case of the United States government in making a fixed price, the best. Lands in special localities have special values on account of the settlement of country and commerce created by it. There are reasons why forty feet at extreme low tide should be the harbor line; some vessels (grain) draw thirty-six feet, and four feet is narrow enough margin. This regardless of the bottom, for if the bottom was mud a ship might be uneven, and it might be in the mud at one end and strain herself. If the price of the lands at Seattle were placed at an exorbitant figure, people here would buy if they could not do better with a smaller amount of money elsewhere. I think the question of improvements as a pre-requisite to purchase should be left to the question of good faith.

Mr. G. W. Stetson: I think title should come from the state. Anything outside of ordinary high tide belongs to the state. Have had W. D. Jenkins' and J. H. Lewis' opinions. Paid taxes on improvements. Riparian

owners have never claimed, but scrip has been located on the lands. Paid tax on realty up to two years. We opened up the street leading to the mill, and in other ways paid out over $300,000 in improvements. Our mills were totally destroyed by the fire, and we have already expended over $63,000 in rebuilding them.

Edwin Louderback: Am vice president and general manager of Mechanics Mill Company. Made inquiries as to the title of the lands; found we could get only quit-claim deed. Have expended $125,000; employ 300 men, and pay about $16,000 per month. We made improvements, believing that when the state was organized the question of title would be settled. In equity, those who have gone in and made substantial improvements ought to be protected. We gave $1,125 for four acres of land. We pay taxes on our improvements, but not on realty.

Mr. H. H. Dearborn (of H. H. Dearborn & Co., real estate dealers): Our firm own one-quarter of a mile of water front abutting on the tide lands. We have platted Dearborn's first, second, third and fourth additions between our uplands and the deep waters of the bay. Have purchased for ourselves and others, claims to certain lots and blocks on the tide lands, which have cost us over $30,000. We bought the shore land because of its value, from the fact that by virtue of its ownership entitles us to a right to deep water. Think the county commissioners should appraise lands. We are very desirous of having the matter settled at once. Think the valuation should be low, so as to induce improvements. We have been assessed, and paid taxes on every lot and block we own. I can't see why jumpers should be allowed any show.

Mr. Beriah Brown, Jr.: I appear before you in behalf of some twenty-five scrip owners. It is unnecessary for me to say that we are very much interested in the outcome of the discussion, of not only of your committee, but of the secretary of the interior. I am not in favor of the state being in a hurry to get this question settled. I think the tide lands belong to the United States and not to the state. Think it useless for the state to try and take the lands away from us, at least until the secretary of the interior's decision is heard.

Mr. N. Soderberg, Attorney at Law: I appear as attorney for a large number of persons at Seattle, who have located tide lands under an act of the legislative assembly of Washington Territory, passed November 6, 1877, entitled "An act to amend an act to encourage the cultivation of oysters, approved November 5, 1873." There are about thirty claims at Seattle, taken up under this act, each claim consisting of about twenty acres, and most, if not all, claims have been subdivided and transferred as the law authorizes, so that there are perhaps one hundred different owners of these lands near Seattle. These parties do not claim any title in fee to the lands; they simply claim to have possessory rights. They claim the law is valid, has been confirmed by congress and by the constitution; that they have complied with the terms of the act above referred to, and are continuing so to do, and have vested possessory rights under that

act and under the constitution of the state. Recognizing and validating the act and these claims, they are entitled to continue to occupy the lands for the purpose stated in the act. They do not think that it is necessary, absolutely, in order to protect their rights, to ask any relief or favor at the hands of the legislature, because they believe their rights are entirely protected under the law and the constitution, but in view of the fact that it seems to be understood that these lands are to be sold, they ask to have their rights recognized and to have preference right to buy their respective claims upon the same terms and in the same manner as shall be permitted to other claimants upon the tide lands and in view of the rights these claims represent. In other words, they ask that when the price shall be fixed at which the lands they claim shall be sold, the agents of the state, whoever they may be, shall fix that price in view of the rights which the law and the constitution have already given to the claimants. I represent that this measure will affect, as well, many worthy citizens in other parts of Washington, as well as citizens of Seattle. In my opinion, the oyster law shall be repealed with saving clauses in favor of rights already acquired in good faith, and with that view I present herewith a repealing act covering this question, only by adopting this course long and expensive litigation can be avoided. All laws upon this subject should be plain and explicit as well as just, and the matter should be kept out of court, if possible. The appraisers should have full instruction in the law to guide their action. While I do not believe the legislature could, if it would, deprive my clients of their rights, I believe it is best for all concerned that the legislature should express itself in clear language upon the subject. My clients are the only claimants who have legal claims upon tide lands, except, of course, patentees. If it is right to consider the equities of parties who have taken possession of such lands outside of the pale of the law, how much stronger claims to recognition have we? The tribunal, or board of appraisers, who will be selected by the state to fix the price or value of these lands, must of course determine what parties have complied with the law, so as to be entitled to the rights we claim. This question cannot very well be decided by the legislature. In fact, it is rather judicial than legislative in its character. In conclusion, we ask for no rights or privileges except what the law guarantees to us, and we ask for full protection of those rights.

Judge Thomas Burke: In its constitution, the state asserts ownership to the beds and shores of all navigable waters in the state. I think the early settlers on the shores of Puget Sound believed that the ownership of tide lands abutting on the shores carried with it certain rights which gave additional value to the lands. The pioneers found that it was impossible to develop the commerce and manufactories which are now on Puget Sound, without occupying the shore and tide lands by wharves, docks, warehouses, sawmills and factories. Great sawmills have been built that send their products to all parts of the world, and the wharves, docks and mills of Puget Sound have given employment to thousands of men, and have given to the State of Washington great wealth. I think

the state, whatever it does, ought to be very just in its dealings in this matter of the tide lands.

Mr. H. A. Smith submits the following: *To the Honorable Legislative Tide Land Committee of Investigation:* I think owners of uplands bordering navigable waters should be made preferred purchasers, as now provided in the bill before the legislature, of riparian fronts in all cases except where they have not voluntarily relinquished claim thereto by allowing some other person or persons to improve them. Our territorial courts have encouraged the supposition that owners of uplands were vested in riparian rights of some kind that the state would protect. They have done this by sustaining writs of injunction against trespassers on water fronts. These uniform decisions in favor of upland owners greatly enhanced the value of the city front property for which very high prices have been paid, and it would work a hardship to such purchasers should the tide land in front of them be sold at public auction. *Second:* It would be wrong to make preferred purchasers of those only who have their water fronts improved, from the fact that such legislation would be a discrimination against the poor and in favor of the rich. In many cases improvements depended upon the streets being graded to the city front. Where there were no streets running to the water front, dock improvements would be useless. *Third:* Simple justice seems to me to demand that all owners of main lands bordering on navigable water should have the right to extend docks to deep water. Their water fronts are their natural right-of-way to commerce and it should not be allowable for any person or company to deprive them of their outlets; to do so would be encouraging the idea of right as against right. Any person who has taken possession of another's right-of-way to deep water, without that person's knowledge or against his protest, is an intruder, and occupies the same position, in equity, that a person does who builds a house on an improved street. Having taken possession by violence he should not look to the law for protection, or expect it; I am therefore opposed to the idea of making tide land jumpers preferred purchasers. There are thousands of acres of tide lands so situated that they are natural outlets to deep water for shore or upland owners. It would be right, in my opinion, to make preferred purchasers of persons who have improved this class of tide lands. Yours respectfully, H. A. SMITH.

TACOMA.

TACOMA, WASHINGTON, January 20, 1890.

Mr. Allen C. Mason: I can tell in a very few words my views on shore or tide lands. Have always believed the owner of shore line, or solid ground, had a right of easement over these lands between high and low tide. This easement has always been considered of great value. Owners of shore lands have always been taxed higher than the owners back of the shore. I have paid three times as much tax on shore than upon land just back of it. This right has been conceded for the last thirty (30) or forty (40) years. Believing that we had this right, myself and associates

have expended some $30,000 or $40,000. This improvement can be seen from this room — the wharf constructed has cost us something like $10,000. This improvement [was] necessary to give us, as the owner of the upland, access to deep water, which we now have — having thirty-five feet of water at the end of our wharf. The position we assume is, that the state values this land in the interest of commerce. State would derive permanent revenue by reason of the increased taxation, and that the state should give title to these lands. I think I voice the feeling to the majority of the owners of these lands when I say that they claim the right of easement over these lands.

Mr. Geoghegan: It would seem to me that a year would be a reasonable time for pre-emption right. I should think the upland owner should have prior rights over another making any improvements, although I think the party improving should be paid for the same, if he is not a land-jumper. I think it would be safe to leave the appraisement to the county commissioners. Think they would be better able to judge of the true value. I think it would be unjust to make us pay more for the land we have improved than for an unimproved tract of the same size.

Mr. L. D. Campbell: I think in the courts it is recognized that the upland owner has superior rights. I consider the right in this land in the upland owner is the superior right of easement. This right cannot be taken from the owner of the upland and sold to a stranger. This right of easement is more valuable than the fee. I would hesitate before I would give $1 per acre for all the tide lands, if I could buy them in a body, unless I owned the upland. I think the only thing the state should look for in regard to these lands is the increased taxation and revenue from the improvement of these lands, and the increased volume of business resulting therefrom. I don't claim that the upland owner can exclude the public from going over these lands on the tide. I think the state should hold the right of the owner of the upland to wharve and dock to deep water a superior right. Think Mason answered the question properly; but I do not think the upland owner should be compelled to pay for improvements made by third party without right. If the fee of all these lands lying between low and high tide could be bought for $1 per acre, I would not buy them. I think the right of the upland owner can be derived by railroad companies by eminent domain, but that private persons cannot do this thing in this way. Any limitation the legislature might put upon this matter by way of pre-emption right would be ineffectual. City has power to compel lands to be platted. If I own the upland I don't think my right to easement can be limited to one particular place. The fee carries no right with it, except the right to keep the ground open for navigation and commerce. I think the upland owner has the right to cross the land at any point. If owner of upland lays out a street to tide water, he thereby gives the right to the public to pass to deep water.

Nelson Bennett: I disagree with the theory that the state owns this land. I think the enabling act takes the right away and gives something

in the place of it. Should think there was more than $1,000,000 of improvements upon tide lands about Tacoma. Think the people of each county the best judges of the value of the lands (local appraisers, county commissioners, or residents of the county or locality). Individuals have purchased tide lands with the idea that they were entitled to water front privileges. If a person is doing business in good faith on the tide flats, I do not see why he hasn't as good a right to the first purchase of them as the man who owns the uplands adjoining the tide flats. I am in accord with Mr. Mason's idea, that the state should not try to make much out of the sale of the tide lands. I believe in disposing of the tide lands to the real occupants of them at a minimum price.

Mr. H. S. Huson: I don't own any tide lands. Am a railroad man, engineer in charge of Northern Pacific railroad. Think the bank owner should have easement to deep water. I think the bank owner should have first right to purchase. Think the person who has improved, the second right of purchase. Think county commissioners should place values on lands (local appraisers). Don't think these lands should be sold at once—though commission be long standing. Don't think the lands should be sold upon a competitive basis. Upland owners should be given a year to purchase the tide lands in front of their property. Tacoma is further advanced in regard to terminal facilities than any other city on the sound. Think these lands will never be improved unless the purchaser can get title and be secure. All the interest the railway company has in tide lands is to get a right-of-way for its track across them. This right-of-way can only be obtained from the actual settler and not from the jumper.

Mr. Robert Wingate: Think legislature should recognize the riparian right of holders of bank.

Mr. H. Y. Thompson: Makes assertion that the right of the state to sell the tide lands independent of the ownership of the upland.

Mr. John H. Mitchell, Jr.: There is no question in my mind but that the state owns the tide lands. I think the United States can authorize grants of easement, these grants lasting during life. Think the upland owners are entitled to ask and receive a patent or deed from the state. I contend there cannot be more than three or four instances on Puget Sound of attempts by persons in bad faith to make improvements on fronts not belonging to them. I think it very much to the credit of the people of Puget Sound that there has been so very little jumping done. Litigation in regard to tide lands should be avoided. 'Don't let [it] go into the courts.

Mr. J. F. Burns: Thirty years ago I had the opportunity of speaking first on the list, that was upon the occasion of the shooting of Moses McCallester, up the Puyallup. I had the honor to locate D. C. 39. In 1853 we had no roads except the ocean. I think it is better to sell than lease the tide lands. There are two kinds of tide lands—tide flats, or mud flats, and sea beaches. We will have to expend the sum of $100,000 to

connect the tide flats with the city, in building a bridge, and an act of congress will have to be obtained. I think the tide flats are worth comparatively little money on account of the fact that a great deal of expenditure of money to make them available for any purpose. Ordinary high tide includes the difference between the extremes of neap high tide and spring high tide. And the amount of land covered at extreme high tide at Tacoma is about 2,000 acres.

PORT TOWNSEND.

PORT TOWNSEND, Washington, January 23, 1890.

Capt. Stetson: In my opinion, the approximate value of the improvements on the shore line of Port Townsend bay, in front of the city of Port Townsend, is at least $1,000,000.

Capt. Smith: It has been customary here to assess the improvements on the water front; don't think we assess the lands.

Mr. Eisenbeis: Think improvements are about $1,000,000. I have paid taxes on tide lands covered by improvements.

Mr. Hastings: I think improvements worth $1,000,000. Have paid taxes for thirty years on tide lands.

Mr. Eisenbeis: My idea of title was that when I bought the shore land, that I thereby acquired the title to the lands in front of them. The lands were platted out into the water since 1857. Full blocks were laid out next to, and in deep water. The lots did not reach into deep water except in exceptional cases. At the town corner the whole of the plat would be covered by water.

Mr. Smith files statement:

To the Honorable Joint Committee of the Legislature on Tide Lands:

We, the undersigned citizens of Jefferson county, Washington, interested in the disposal of the state tide lands so as to do justice to the state and individuals, respectfully present our views as follows:

First. Claimants who have valuable improvements made in good faith, for purposes of business, should have the preference right to purchase the land covered by their improvements at its appraised value, within a fixed time.

Second. The upland owner or his grantee having no improvements, should have the preference right to purchase the abutting tide lands, not occupied by another, as above set forth, at its appraised value, within a fixed time.

Third. If those given the preference right to purchase fail to do so, then such land shall be sold.

Fourth. County commissioners being best acquainted with values in

their own counties, should have the appraisal of these lands, subject to appeal.

B. S. HOXSIE,
CHARLES SCHMIDT,
H. H. TUCKER,
MARY FOWLER,
JAMES G. SWAN,
JAMES DALGARDNO,
C. W. FLINT,
E. E. HICKMAN,
WARD, HARPER & HILL,
J. G. STERNING,
WM. H. WHITTLESEY,
J. W. MORGAN,
CHAS. C. BARTELL,
W. I. HASTINGS,
DR. H. C. WILLISON,
JAMES JONES,
J. J. HUNT,
CHAS. MCINTYRE,
D. H. HILL,
H. H. HILL,
THOS. PHILLIPS,
ALBERT BRIGGS,
A. I. SMITH,
J. D. FITZGERALD,
JACOB BEHRMAN,
ERNST KLINGER,
D. W. SMITH,
J. H. STETSON,
JAMES SEAVEY,
CHARLES EISENBEIS,
H. E. MORGAN,
HENRY BASH,
A. W. BASH,
F. W. HASTINGS,
JOHN A PLUM,
FRED M. TENNY,
D. W. LITTLEFIELD,
E. F. PLUMMER,
AUGUST DUDDENHOUSEN,
H. L. TIBBALS, JR.,
THOS. JACKMAN,
JOHN FITZPATRICK,
CHARLES JONES,
NATH. D. HILL,
J. A. VAN BOKKELEN,
H. PAYNE,
R. DELANTY.

Think time payment with low rates of interest would be the proper way to deal with the matter. No one refused to sign this statement; all are agreed that it is a fair statement of the case. Don't think there are any persons who claim tide lands who have not signed. There are no jumpers here.

Mr. Downs: I don't think the state has any title to any of these tide lands. I think the bank owner has all the right out to deep water.

Mr. Geo. W. Downs: I am a sawmill owner (sends patent to his holdings on shore line), all the right-of-way we had when we patented these lands was over the water, and we propose to insist on those rights yet so far as it is necessary for the upland owner to have this right-of-way to deep water. When a man took this land he considered that he had a right-of-way over the water and the land intervening below high tide. I occupy about forty acres of land on bluff shore line, and if the state was to place an exorbitant value on the land it would be a great hardship. I don't consider the legislature called upon to dispose of the foreshore, but that their whole duty is to value and deal.

Captain Stetson: I think the harbor line should not be less than thirty feet of water; we should not be deprived of less than thirty feet dead low water.

Mr. J. M. McIntyre: I think the state has policy power only, and cannot interfere with property rights in the shore. Think thirty feet of water at low tide the proper harbor line at the inside rim or line. Think the state should take jurisdiction as far out as is necessary to protect commerce.

Mr. W. D. Smith submits the following: The understanding of the people is, that in case they do not purchase when they have the right, within the time, then the right should go to those who have the riparian right.

Mr. Kuhn: There is no such thing as tide flats here.

Mr. Smith: We think that if the title of the upland owner fails, the legislature should provide for the sale of the lands in suitable tracts. My judgment as to the fixed appraised value of tide flats is, that we would be willing to have a fixed appraised value by any board of appraisers, and then, under proper restrictions as to improvements, have purchases made. Finally, if the whole state, and not the riparian owner, is to be benefited, the energy and effort of the people, and in investing the money, and by such improvements making the country, then I think the plan pursued by the government, in fixing a nominal fixed value on land, is the best. Think the improvements made on contiguous lands should have little bearing upon the question of value upon the tide lands. If the people had an idea that they could get no title, they would never have improved the lands, and there would have been no docks here to-day. Think the theory that the state should reap a large revenue from these lands is not properly understood, and is over-estimated. The state will get a revenue from taxation which will be greater than the value of the tide lands under the prevailing theory. Think the situation at Port Townsend different from places where there are no tide flats. We have here in Port Townsend about seven thousand people. Think people who have made improvements on tide lands are entitled to credit for making the lands valuable.

ABERDEEN.

ABERDEEN, WASHINGTON, January 19, 1890.

Mr. Weatherwax testifies as follows: Came here five years ago. After looking over the country, Mr. Benn made me a proposition, which I considered good, and one that I agreed with him to put in a mill here that cut 40,000 [feet] per day, but I put in a mill that would cut from 80,000 to 100,000 feet per day. Water front was not valuable then, except it was improved. My arrangement with Mr. Benn was successful, and I [in]vested my money in improvements on this land when on the hope that the 100 acres of land and the water front before it would be good property, and that the government title to it would protect my rights. I expended $96,000 in building my mill and making dock wharf improvements, including my boom. Tide lands are considered here almost worthless unless improved. The whole value of this county arises from the fact that these improvements have added to the value of the taxable property of the state, and its resources have been made available to the state. When I came here lots were selling from $300 to $75, and I can't understand why I should be expected to pay the extreme price which the legislature seems to want to exact, when my own money and labor has given land all the value it has. I am not ready to concede that the pat-

ents do not convey this land to deep water, but if they do not I am of the opinion that any law which would embarass the present owners would not tend to increase the revenue of the state, as it would not be fair to the men who had built up the industries of the country. I consider a fair price for this land, the price of the land before it was improved, say from $1.25 to $3 per acre. I think $10 would be an extreme price. From the meander line, I occupy twenty acres with my mill and boom, but when the question as to the value of these lands comes up I base my estimate by their value, that is, the land claimed by the state in front of them, at what it was worth before improved, say $1.25 or $2.50 per acre. Some of the lots sold along the water front were only fifty by ten feet and sold for $1,500, but this was upon the belief that they controlled the water front to deep water, and the lots were bought with this idea. The property was secured by parties who meant to erect docks and wharves upon the property, believing they owned the right to dock to deep water, expecting at some time to put in sawmills and their manufacturing institutions on the lands. These men have paid their money in good faith, and it would be wrong to deprive them of their rights on a bare assumption of the state's title. It would make no difference as to the sale of the lands whether you sold it to a corporation or an individual, as fifteen or twenty going together would deed to a corporation any way, and thus the same end would be reached, and the land might as well be sold to corporations under restrictions which would compel them to improve it and not hold it as a speculation. The men who bought these lands expected that when they paid their money in good faith for the shore lands, they would be entitled, by right of purchase and the law, to govern the intervening lands to deep water. The Hoquiam Mill Company has done more to develop this country than any party of men about here. They have paid large sums of money for both labor and land, and it is not to be supposed that this corporation would have expended this money unless they had a pretty sure right to the shore line, and as an appurtenance thereto to right the dock out to deep water.

Mr. J. B. Maling, Aberdeen, Wash.: I am a real estate agent. Have lived here one year. Mr. Billing, for whom I appear by request, was the original owner of the townsite of Aberdeen. Mr. Billing came here in the early hardships of the country, and, as he thought, acquired title in good faith to the land. He feels that he ought to be owner of the tract; his frontage being two hundred and fifty feet wide and extending back to the upland, he thinks the combination of the two gives him the tide lands; and as to the power of the third party to obstruct him in going into deep water, he doubts. Mr. Billing thinks a fair value should be placed on these mud flats, based upon the valuation before improved, with preference in favor of the persons making the improvements.

Mr. H. C. Cooper, Montesano, Wash.: I own a tide land ranch on the south side of the harbor. My ranch is out about twenty miles from here. Have a patent to the land. The soil at that point is alluvial, and the surrounding country is good pasturage. As to the price at which the state

should charge for these lands, if it owns them, I would think a nominal value should be placed upon them, as the cost of improvements is very great.

HOQUIAM.

HOQUIAM, WASHINGTON, January 19, 1890.

Mr. Edward Campbell: I speak of the tide lands in Gray's Harbor. I think they should be used for commercial purposes. Such lands, I think, had better be sold; where towns are building, I think the lands should be left for commercial purposes, but I do not think those lands should be appraised so high that the persons who have made the improvement and made them valuable should be frozen out. It is the improvement of these shore lands that has made the other lands valuable, and had it not been for the investment of capital in these lands, but little improvement in this country would have been made. If these lands which have been improved by the people are to be sold to them, the price should be the value of the land without any improvements. Otherwise, property which has been made valuable by improvement will be taken without any adequate compensation. I do not think it would be necessary to dispose of the tide lands in a hurry. Can't you pass a law so as to dispose of lands under certain constitutions; a law to dispose of lands already improved that are about Gray's Harbor. I do not think the law should be formed so as to permit corporations to buy up these lands and hold them to the detriment of the people. The state had better hold the lands indefinitely than to do this. I think the people who have acquired title to these shore lands and improved them are entitled to all the benefits that may accrue to them by virtue of their previous occupancy. It seems to me these lands are held in trust by the government for the uses of commerce and navigation.

Mr. James A. Karr: I came here in 1859. Am interested in dairy farming. My opinion is that the riparian right is correct. Think Mr. Weatherwax is entitled to the land where his improvements are, and that others should not be allowed to jump his right.

GRAY'S HARBOR CITY.

GRAY'S HARBOR CITY, WASH., January 19, 1890.

Mr. Duncan: I am representing the Gray's Harbor Company; have been representing this company since last March. The company have four miles of water frontage extending one mile back. We have been trying to get a railroad to come to Gray's Harbor. Bought the lands with a view of building a city. Have expended on the wharf about twenty-five thousand dollars. This wharf is one and one-eighth miles long. The expenses paid out at Gray's Harbor have been very heavy, and I think a nominal price should be paid for the tide lands. The result depends entirely on our success. Another thing should be considered: We have done a great deal in developing the country, by advertising, and a great number of emigrants have come to this country, spending a great deal

of money. Think we have sold about $240 worth; we can do a great deal more when in a position to do so.

WHATCOM.

WHATCOM, WASHINGTON, January 25, 1890.

Judge Williams: My view is that no action ought to be taken at present, and that the state ought not to sell the lands at this time. Think the appraisal should be made by local boards amenable thereby to the people. Think the Clarke bill is about correct. If these lands belong to the state she should hold them, as they are becoming more valuable. Think permanent improvements could be got upon leases; think thirty years' leases will be too long. Think the state would derive more revenue from the land than from the taxes (if the land is more valuable than the taxes). Think a local commission could act more intelligently than a state board. I have one little foundation and a block piled in — no interests elsewhere. It would be to my interest to have the lands sold. Think the county commissioners should appraise, with some way of regulating their action. Think a man who has improvements should be recognized as having equitable rights. I never saw much foundation for the theory that the bank owner had riparian or littoral rights. Approximately there are several sections of tide lands in Bellingham Bay. There is one scrip location on the bay. I take it that if these lands were mine I would not sell them, and if this was a good business policy for me it would be for the state. There are acres of land here that would bring in a revenue if leased at once, and others that would not yield a revenue for years. Don't think $250,000 saw mills would be built on leased ground unless the lease was a very long one. Think the tendency to rent the tide lands would be to keep big mills off the tide flats.

Mr. J. J. Weisenburger: I think the tide lands should be sold at once in order that substantial improvements may be made. If the lands were leased we would have a class of inflammable buildings here in front of the city which would be a standing menace to the balance of the city. I think those who have made permanent, substantial improvements should be protected. Improvements and land to be appraised separately, and the appraised value of improvements should be paid to the occupant. Tide lands should be platted into lots and blocks and streets to correspond with the other platted portion. Think there should be a state board to which appeals might be taken from the appraisement of local boards of appraisers rather than to have the appeal go to the slow process of the courts. If the state can derive a large revenue by selling these lands at auction, it should do so. Different policy should prevail than that which the government pursues in regard to public lands. It makes no difference what disposition this legislature makes of this matter, some hardships will accrue. Think bank owners' rights should be protected in some cases. In case a man has platted his lands, the littoral right goes to the public. Approximately I think there are from two thousand to two thousand five hundred acres on Bellingham Bay in front

of the three cities, and some of them in front of the cities are worth from $500 to $1,000 per acre, others farther away are worth probably $10 per acre.

Mr. William Powell: Mr. Weisenburger states my view of tide land matters. I think the land should be sold at once. I think anybody who went below the meander line and improved should have no more right than others, except that they should be paid for their improvements at appraised value. Am a member of city government. I think the city has a right to extend streets to deep water (24 feet) by virtue of her charter.

Mr. T. G. Nicklin: I endorse the greater part of the statement of Mr. Weisenburger. The city should have right-of-way for streets through tide lands. Think the people of the whole state should lose the ground necessary to make these streets. The oyster man has not been before the committee. Don't believe the riparian owner owns the sea because of his ownership of the land. There are six miles of tide lands between the Whatcom dock and Lummi Island, and not a dock intervening. The population gives the land the value and not the buildings. The increase of population here gives the value to the tide lots. The occupants of these lands have paid no rents. The state has no one to represent it as to its rights. Think Nelson Bennett's statement is about what Whatcom wants. Is it not offering premium upon trespass by holding out the idea that the trespasser shall be paid for improvements upon the lands upon which he has trespassed? Think Stetson and Post should pay market value of the lands at this time. I should feel sorry to believe everything I see in the papers about this legislature. Don't think the section relating to improvements (H. B. 36) is not specific as to what improvements shall consist of, and provides for no appeal. Commissioners appointed by the governor are more likely to be appointed on account of services. County commissioners being at home in their will be held responsible and compelled to account for their acts. The bill gives too long an option. If a man is unable to make up his mind in regard to his purchase in thirty (30) days, he probably could not do so at all. Think the long option would be more in the interest of the rich than the poor. The railroad and mill companies own nearly all the improvements on the tide lands. What these privileged classes want will be taken, and the balance unimproved, which no one wants, will be thrown upon the market. It is not right to give the riparian owner an option, or person in possession, and in case a man wants a chance to become the purchaser, he should have the right to bid against the riparian owner or occupant. Think the state should sell the lands in front of the cities at once and not lease them, because of the fact that the state's property could not be rendered for taxes or assessments for municipal purposes, and with the exception of improvements on the lands. We regard the water front as essential to the growth of our city, and think it should be gotten into the hands of private owners at the earliest possible moment. Think the city has right to streets on tide lands. There are oyster claimants on both sides of

Whatcom, and one of them was at our meeting. Think the territory undertook to pass a law regarding oyster claimants, which they had no right to pass. I think the people should be represented by the attorney-general and the county attorneys.

CITY HALL, WHATCOM, WASHINGTON, January 22, 1890.

Mr. Nicklin submits written statement: Meeting called to order by Mayor W. J. Pratt, who stated the object of assembly to be consideration of the tide lands, disposition of same, and appointment of a committee to present the wants of our citizens to the legislative tide land committee. On motion, W. L. Miller was chosen chairman and T. G. Nicklin secretary. By request the secretary read House bills Nos. 136 and 137, on tide land subject, now pending before the legislature. A general discussion of the two bills followed. It was finally decided to incorporate the best features of both bills into a new bill, incorporate some new provisions and amendments, and recommend the same to the committee for adoption. On motion of L. W. Marcy, it was declared to be the sense of the meeting that county commissioners would be the most responsible appraising board. Motion prevailed that the tide lands should be sold at an early date, in quantities not exceeding one lot on city plats, or one acre in unplatted tracts; that as far as possible the sales should be made to the highest bidder, who shall pay for the same on an easy installment plan, as per House bill No. 136. No lands shall be sold for less than appraised value. No exclusive rights or special privileges of any character shall be granted to shore line owners or riparian claimants, nor to tide land jumpers who have squatted upon or taken possession of tide lands; but in all cases the tide lands shall be sold to the highest bidder, preserving, however, the rights and interest of the classes named in section 3 of House bill No. 136, so that in case the owner of actual improvements shall not desire to bid in the lands upon which his improvements are located, then the party bidding in the same shall pay to the owner of said improvements a fair price for the same, according to appraisement. On motion, the committee amendment to House bill 136, giving reputed owners of shore lands on which they have paid taxes special privilege to purchase, was cut out of bill. On motion, it was decided that thirty (30) days was sufficient time to give option of purchase to any bidder. Motion was carried, that appeals from appraisers may be taken to court and there decided by jury where any party feels aggrieved, that further appeal may be taken to supreme court. Motion prevailed that no creative act, such as section 3, in House bill 137, shall become law. In order to properly lay the above suggestions before the legislative committee, the following committee were appointed: T. G. Nicklin, H. B. Williams, W. L. Miller, W. H. Forts, Dr. Werden. On motion, adjourned.—W. L. Miller, Chairman; T. G. Nicklin, Secretary.

Mr. Charles I. Roth: I do not think the tide flats should be sold to the highest bidder, think it valuable only for manufacturing purposes. Think the legislature should enact laws providing for the sale of these

lands for manufacturing purposes. I think the riparian owners ought to have some rights. I did not know of citizens' meeting, and think that none of the tide flats claimants were present. Think the amount of tide flats, as testified, too large. Think there is about 480 acres in front of Whatcom. I live in Whatcom. Part of the tide flats here are covered by patent to half tide. I don't think there is anything to be gained by selling the tide lands, as they are becoming more valuable, but think long leases good. Think the law should provide for the improvement of the land, as a condition precedent to the law. Don't think the value of tide lands amounts to anything, except as the improvements makes them valuable. I think the majority of the people here hold to Mr. Nicklin's view, but this is probably on account of the fact that a few persons here have large holdings, and the majority of the inhabitants are owners of small holdings.

Mr. E. W. Scott: I think 200 feet ought to be reserved for harbor or wharf purposes.

Mr. F. H. Richards: Think the lands should be sold at once. Think two-thirds of our people would prefer the Clarke bill rather than the Moultray bill. If the owner of the shore line will be allowed by the legislation you enact to go to the deep water line, then some lot holders who have only paid small sums will be permitted to hold and purchase a very large lot of tide flats. The lot holders at Bellingham have the right to go to deep water. I think there is great difference between the shore line and the tide flats.

Judge Williams: There were a number of persons at the meeting who did not favor the plan of selling.

Mr. Nicklin: I am willing to have a committee appointed to take the sense of the people on this subject.

FAIRHAVEN.

FAIRHAVEN, WASHINGTON, January 25, 1890.

Mr. E. L. Cougill: I reside in Fairhaven. My opinion as to the manner of disposing of the tide lands is, that there are a great many rights to be considered. The riparian owner has rights which should be considered. By taking away that right they would be deprived of a valuable appurtenance. If he could get title from the state, he would improve, and thus benefit commerce; but if the two are separated, the value of either would be diminished. The right of the bank owner is paramount, and this is true although there might be a tide flat. The high rise and low fall of the tide, gives a depth of water at high tide which is navigable. Think even at Seattle, where there are larger tracts of mud flats, the bank owner should own to deep water, regardless of the distance. It is hard to draw the line so as to cover extreme cases, and some hardship might work; but in the case of the city of Seattle, the land would be given to many owners. In the case of valuable improvements on tide flats, would think the owner of them should receive some consideration.

and that riparian owners should also be considered. Don't think that there are any cases of this kind at this point. There are some at Whatcom, some few houses. Think the patent to that ground, however, extended out over the flats. There are some piles driven and capped at Whatcom which are outside the patent line. I think the best system of appraisement, if not by local appraisers, it should be done in connection with them. Say county commissioners. Think the local appraisement plan the best, as the values are local and local appraisers would better know the value. Think they should govern the values. Where the high land is more valuable the tide lands would be greater. Think it would be well to consider the plan of the United States in regard to public lands in making a fixed value. When I bought my land, I did so with a view to the shore line on the land in front of it. I own some shore line at this point.

Mr. H. Y. Thompson: I live in Portland. Don't own any tide lands in the state. I represent the Fairhaven Land Company, as attorney. This tide land question is so large, it is safe to start with the proposition, that all lands in the state where tide ebbs and flows are the property of the state, and may be disposed of as any other lands. As land, it is not valuable, and as water it is useless, the value consists in its being a way of connecting the two. The state takes by virtue of its sovereignty. The policy of the other states has been to permit the shore owner to have preemptive right within a certain limited time. This plan worked well in Oregon. The law concerning appraisement was a bad one as it was local in its plan. Where there are tide flats with improvements in front, think it sound policy to permit bank owners to have exclusive right of purchase. If he has sat by and seen his neighbor make valuable improvements he should be estopped from claiming the land covered with improvements. This is under a general principle of estoppel and acquiescence. The riparian right is a fresh water doctrine. The state owns the lands between ordinary low and high tide and they convey the right to wharf out. I see no difference between a man who has a large tide flat and a small one. The appraisement should be made taking into consideration the improvements made. I think the lands ought to be sold at their actual value and not for a nominal value. The government makes a gift of her lands to induce settlement; I think the state should demand very reasonable rates according to their actual value. I think the settlement and the improvements made have given these lands their value, and that these things ought to be taken into consideration. Think the value should be made cheap to the shore owners on account of their improvements. The government makes special rates on certain lands. The government has never claimed any title in the tide lands; $20 per acre is the highest value placed upon government lands. Q. Do you think the local conditions should be taken into consideration in appraisal? A. I think general utility or advantages of location should govern.

Mr. Pierce Evans: I have had occasion to talk with persons concerning this matter. The riparian doctrine is familiar to me. The state

owns the tide lands by virtue of the common law and acts of congress. The legislature has the power to make statutes in relation to its commercial needs, by the legislation it shall enact. The title of these lands being in the state, the question is whether the state shall sell the lands in front of incorporated the cities. I favor the sale of these lands in front of incorporated cities on the ground that persons will be more likely to make permanent and valuable improvements; with a mere lease, nothing valuable would be done. Don't think it right for the state to speculate upon the public lands, and that it would be short-sighted policy to reserve the fee to the detriment of the improvement of the country.

Mr. C. D. Young: It occurs to me that the first thing to consider is the vested right of the land owner. My opinion or hope is that the bank owner will be found to have no vested right, and that the state ownership is absolute. Legislation should be upon the basis of dealing between adverse parties. Legislature should not consider the equitable rights; but the legal rights of the state should be upheld, and that the legislature should legislate for the whole people, and not for those on the shore. I think the land ought not to be sold. Don't think any intelligent idea of the value of these lands can be obtained at this time, and that leases should be made for a term of years not too great. Think the state should plat the tide lands and lease until we have had experience as to which would give us better ideas in regard to the manner of dealing with these matters. I doubt that this policy would retard the growth of the state, although it might for a while. Doubt the policy of legislation which would induce speculation on state lands. Doubt that the state would derive any great benefit from the erection of permanent improvements which would not be offset by the loss of the enhanced value of the lands at a later date. Parties have heretofore improved these lands without knowing where their title was to come from, and I think parties could be induced to improve on leases. Think incorporated cities might be benefited by sale of the lands, but that the state at large would not. I think I would not be inclined to make very valuable improvements on leases. In the appraisal, would remove the matter as far as possible from local or individual interests.

PORT GAMBLE.

Mr. F. H. Ames: Think the persons who have improved should have the preference right of purchase. All the people here want is a chance to buy the land from the state. Think $50 per acre should be the maximum price.

Senate bill No. 89 was, on motion of Senator Wilson, indefinitely postponed.

Senate bill No. 95 was, on motion of Senator Luce, laid on the table.

Senate bill No. 64: The amendments proposed by the Committee on Public Buildings and Grounds were adopted.

In section 3, the word "semi" was placed before the word "annually."

On motion of Senator Drum, the following was added to section 3: "When the city council thereof does not otherwise provide for the performance of duties herein imposed."

On motion of Senator Drum, the bill was made a special order for Thursday, at 3 P. M., by a divisional vote: Yeas 11, nays 4.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he was instructed by the House to inform the Senate that the House has passed Senate concurrent resolution No. 30, Constituting the Committees on Ways and Means and Claims of the House a joint committee; has refused to pass Senate bill No. 53, An act legalizing all deeds and instruments of writing heretofore executed for the purpose of conveying real estate, etc.; has passed House bill No. 146, An act creating a mining bureau, etc.; has passed House bill No. 147, Creating the office of state geologist; has passed Senate joint memorial No. 20, Praying the congress of the United States to erect defensive works on Puget Sound; has also passed Senate bill No. 34, An act to relieve innkeepers from liability in certain cases; has passed Senate bill No. 81, An act concerning official bonds; has passed Senate bill No. 120, An act prescribing the duties of lieutenant-governor, etc.; has amended and passed Senate bill No. 87, An act providing for the appointment of official stenographers; has passed Senate bill No. 41, An act to protect salmon and other food fishes, as amended, and the same is transmitted to the Senate for action thereon.

STATE LIBRARIAN.

Senate bill No. 135 (a substitute bill), Relative to state librarian, was taken up and read.

Senator Fairweather in the chair.

On motion of Senator Wood, the bill was considered a substitute for the original bill, and as having been read a third time.

Senator Van Houten moved to amend as follows: Section 1 (add): Both males and females shall be eligible to the office of librarian, and wherever in this act the words "he," "his" or "him" occur they shall be taken equally to mean "she" or "her," as the case may be.

President in the chair.

Senator Owings called for the reading of section 25, article 3 of the constitution, which was read.

On the amendment of Senator Van Houten, the yeas and nays were called for by Senators Long, Drum, Van Houten, Thompson (G. T.), Thompson (L. F.) and Seaborg, the vote resulting as follows:

Yeas: Drum, Fairweather, Fariss, Hyde, Kneeland, Luce, Parkinson, Payne, Preston, Snow, Thompson (G. T.), Van Houten, Vestal, Wolfe, Wood — 15.

Nays: Austin, Landes, Lawrence, Long, Owings, Seaborg, Thompson (L. F.), Whalley, Wilson, Wooding — 10.

Absent or not voting: Baker, Clough, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Kinnear, Rinehart, Watt.

Adopted.

Senator Long moved to strike from section 22 "$1,500" and insert "$1,100."

Senator Whalley moved to amend by inserting "$1,400."

On the amendment to the amendment, Senators Long, Thompson (G. T.), Payne, Whalley, Kneeland and Lawrence called for the yeas and nays, which resulted as follows:

Yeas: Austin, Fariss, Lawrence, Owings, Preston, Seaborg, Van Houten, Vestal, Whalley, Wood — 10.

Nays: Clough, Drum, Fairweather, Hyde, Kneeland, Landes, Long, Parkinson, Payne, Snow, Thompson (G. T.), Wilson, Wolfe, Wooding — 14.

Absent or not voting: Baker, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Kinnear, Luce, Rinehart, Thompson (L. F.), Watt.

Lost.

Senator Parkinson moved to amend to insert "$1,250" instead of "1,500."

Adopted.

Senator Wood moved to reconsider the vote by which Senator Van Houten's amendment to section 1 was adopted:

On this motion, Senators Thompson, Kneeland, Austin, Long, Landes and Fairweather demanded the yeas and nays.

The vote resulted as follows:

Yeas: Austin, Fairweather, Hyde, Landes, Lawrence, Long, Owings, Parkinson, Preston, Seaborg, Snow, Thompson (L. F.), Whalley, Wood — 14.

Nays: Clough, Drum, Fariss, Kneeland, Payne, Thompson (G. T.), Van Houten, Vestal, Wooding—9.

Absent or not voting: Baker, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Kinnear, Luce, Rinehart, Watt, Wilson, Wolfe.

Adopted.

Senator Van Houten's amendment then failed to pass.

Senator Whalley moved that the bill be made a special order for Friday, at 2 P. M.

Lost.

Senator Wood moved to amend that the bill be re-committed to the Committee on State Library, with instructions to amend the bill so that either sex could hold the office.

Lost.

On motion of Senator Owings, the title of the bill was amended by adding after "Washington" the words "and to create the office of state librarian."

On the question to consider the bill engrossed and placed on its final passage, the bill failed to pass by the following vote:

Yeas: Austin, Landes, Owings, Parkinson, Preston, Seaborg, Snow, Thompson (L. F.), Whalley, Wolfe, Wood—11.

Nays: Clough, Drum, Fairweather, Fariss, Hyde, Kinnear, Lawrence, Long, Payne, Thompson (G. T.), Van Houten, Vestal, Wilson, Wooding—14.

Absent or not voting: Baker, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Kneeland, Luce, Rinehart, Watt.

Senator Lawrence, who had changed his vote to the negative, gave notice of his intention to move to reconsider the vote by which the bill failed to pass.

House bill No. 131, Relative to the appointment of special deputies, marshals or policemen by sheriffs, mayors or other persons authorized by law to make such appointments, was taken up.

The amendments of the Judiciary Committee were adopted.

Senator Thompson moved to strike out "misdemeanor," in section 3, and insert the word "felony."

Adopted.

On motion of Senator Drum section 3 was stricken out.

On motion of Senator Wood a new section was added in its place, as follows:

SEC. 3. Any person or persons violating any of the provisions of this act shall be deemed guilty of a felony, and upon conviction

thereof shall, in the discretion of the court or jury, be imprisoned in the penitentiary for any period not more than one year, to which may be added a fine not exceeding one hundred dollars.

Senators Kneeland and Long were excused in consequence of approaching disaster by water to their property.

On motion of Senator Fairweather Senate bill No. 131 was made a special order for to-morrow, at 2 P. M.

On motion of Senator Van Houten the Senate, at 5 P. M., adjourned until 1:30 to-morrow.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Febuary 4, 1890.
1:30 o'clock P. M.

Senate called to order, pursuant to adjournment; the president in the chair.

Roll called; all present, except Senators Baker, Forsyth, Guilfoil, Houghton, Hunsaker, Landes, Thompson (L. F.), all of whom were excused.

Janitor Haynes and Enrolling Clerk Lampkin were excused on account of sickness.

Journal of yesterday read and approved.

Senator Vestal offered the following, which was adopted:

Resolved by the Senate, That the sergeant-at-arms of the Senate is hereby instructed to procure for the use of the Senate 200 copies of the pamphlet rules of the Senate; provided that they do not have to be reprinted.

On motion of Senator Whalley the vote by which House joint resolution No. 21 was lost was reconsidered, and the resolution was again read and adopted.

The following bill was read:

PUGET SOUND & ALASKA S. S. CO.,
TACOMA, WASHINGTON, January 31, 1890.

Tide Lands Commission, C. H. Austin, Chairman, Olympia, Washington:

To steamer Washington and owners, Dr.

To services five days, with 300 meals, served as per agreement, $600.00

Received payment.

E. & O. E.

Referred to the Committee on Claims.

By consent, Senator Wood moved to reconsider the vote by which Senate bill No. 143 was indefinitely postponed.

Adopted.

The bill was placed on the general file.

On motion of Senator G. T. Thompson, the vote by which House bill No. 99 was indefinitely postponed was reconsidered, and the bill place on general file.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred House bill No. 208, entitled "A bill for an act providing for an additional number of superior courts, and declaring an emergency to exist," have had the same under consideration, and now respectfully report the same back to the Senate with the following amendments, and, as amended, recommend the passage of the bill:

Amendment 1. Amend the title of said bill by striking out the word "courts" and inserting in place thereof the words "court judges."

Amendment 2. In section 1, in line 2, strike out the word "districts" and insert in place thereof the word "counties;" in line 2, strike out the word "an;" in line 3, strike out the word "judge" and insert in place thereof the words "superior court judges;" in lines 3 and 4, strike out the words "of the superior court of the State of Washington;" in line 5, after the word "elected," insert the words "as follows;" in line 7, strike out the word "counties" and insert the word "county" in place thereof; in line 7, strike out the words "and Stevens;" in line 14, strike out the words "as in" and insert the word "upon;" line 15, after the word "the," insert the words "judges of;" line 15, strike out all of said section after the word "courts," so that said section, when amended, will read as follows: "Sec. 1. That in each of the following named counties additional superior court judges shall be elected as follows, that is to say: One superior judge in the county of Spokane, one superior judge in the county of Pierce, and two superior judges in the county of King, with like powers and jurisdiction as are conferred by the constitution and laws of the State of Washington upon the judges of superior courts."

Amendment 3. Strike out all of section 2, down to the word "who" in the tenth line of said section, and insert the following in place thereof: "Sec. 2. The governor shall appoint in each of said counties persons learned in the law, judges of the superior courts, as hereinbefore provided to be elected."

Amendment 4. Strike out all of section 3 and insert the following in the place thereof: "Sec. 3. At the general election in 1890 there shall be elected in the county of Spokane, one superior judge, and in the county of Pierce one superior judge, and in the county of King two superior judges for said counties, in addition to the judges now provided for by law in said counties, who shall hold their offices for the term of four years from and after the second Monday in January, 1891."

Amendment 5. Section 4, line 3, strike out the words "and districts."

Respectfully submitted, J. R. KINNEAR, Chairman.

Report concurred in by Senators Houghton, Wood, Whalley and Payne, being all of the said committee present.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he was instructed by the House to inform the Senate that the speaker has signed House memorial No. 14, For the relief of settlers under the timber culture law; House memorial No. 16, In relation to the improvement of the Columbia river; House memorial No. 17, Removing obstructions in the upper Columbia river, and House bill No. 173, An act for the preservation of large game, all of which have passed both houses and been reported correctly enrolled, and the same is herewith transmitted to the Senate for the signature of the president.

The House has passed House bill No. 98, An act to appropriate $17,752.28 for the maintenance of the penitentiary.

Has passed House bill No. 117, An act to repeal chapter 70 of the laws enacted by the legislature of the Territory of Washington, approved February 2, 1888, relating to licensing of animals kept for breeding purposes for hire; has also passed the emergency clause contained therein.

Also House joint resolution No. 22, In relation to final adjournment; House memorial No. 19, In reation to the appropriation for Gray's Harbor and Chehalis river; House bill No. 175, An act requiring owners of piers and wharves to display lights at landing places, also passed the emergency clause.

The speaker has signed House memorial No. 18, In relation to the improvement of the Cowlitz river, and the same is herewith transmitted to the Senate for the signature of the speaker.

SPECIAL ORDER.

Senate bill No. 131, To provide for the payment of the debt of the territory, was read third time, and passed by the following vote:

Yeas: Austin, Clough, Drum, Fairweather, Fariss, Hyde, Jones, Kinnear, Lawrence, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Van Houten, Vestal, Watt, Whalley, Wolfe, Wood, Wooding—25.

Absent or not voting: Baker, Forsyth, Guilfoil, Houghton, Hunsaker, Kneeland, Landes, Long, Thompson (L. F.), Wilson.

The vote on the emergency clause was as follows:

Yeas: Austin, Clough, Drum, Fairweather, Fariss, Hyde, Jones, Kinnear, Lawrence, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Van Houten, Vestal, Watt, Whalley, Wolfe, Wood, Wooding—25.

Absent or not voting: Baker, Forsyth, Guilfoil, Houghton, Hunsaker, Kneeland, Landes, Long, Thompson (L. F.), Wilson.

The president announced that he was about to sign House memorial No. 16, House memorial No. 14, House bill No. 173, House memorial No. 17, and House memorial No. 18, which was done.

Senate bill No. 87, Relative to official stenographers, with House amendments, was taken up.

Upon the question, Shall the Senate concur in the House amendments, they were concurred in by the following vote:

Yeas: Austin, Clough, Drum, Fairweather, Kinnear, Lawrence, Long, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Vestal, Whalley, Wilson, Wolfe, Wood, Wooding—21.

Absent or not voting: Baker, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Jones, Kneeland, Landes, Thompson (G. T.), Thompson (L. F.), Van Houten, Watt.

The bill was ordered to be enrolled.

COMMITTEE REPORT.

Senator Lawrence, by consent, offered, out of order, the following:

To the President and Members of the Senate of the State of Washington:

GENTLEMEN—Your Committee on Education, to whom was referred Senate bill No. 38, have considered the same and beg leave to report for consideration and passage, the said bill as amended.

Respectfully submitted,

J. C. LAWRENCE, Chairman.
HENRY DRUM.
W. J. PARKINSON.

The bill was, on motion of Senator Lawrence, ordered to be printed.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your Committee on Mines and Mining, to whom was referred Senate bill No. 106, An act entitled "An act concerning mines, and declaring

an emergency;" also, Senate bill No. 107, An act entitled, "An act relating to crimes and punishments, and declaring an emergency," have had the same under careful consideration and respectfully report the same back to the Senate with the recommendation that the bills do pass.

Senate bill No. 96, we beg leave to return, with amendments as attached to the margin of the bill. With these amendments your committee recommend that Senate bill No. 96 do pass.

Senate bill No. 97, we beg leave to return with amendments as attached to the margin of the bill. With these amendments your committee recommend that Senate bill No. 97 do pass.

Senate bill No. 98, we beg leave to return with amendments such as are attached to the margin of the bill. With these amendments your committee recommend that Senate bill No. 98 do pass.

J. H. JONES,
F. H. LUCE.

Senate bill No. 41, To protect salmon and other food fishes, etc., was read, and the House amendments concurred in by the following vote:

Yeas: Austin, Drum, Fariss, Jones, Kinnear, Long, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Vestal, Watt, Wilson, Wolfe, Wood, Wooding — 19.

Absent or not voting: Baker, Clough, Fairweather, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Kneeland, Landes, Lawrence, Luce, Thompson (G. T.), Thompson (L. F.), Van Houten, Whalley.

The bill was ordered to be enrolled.

Senate joint memorial No. 20, Relative to the erection and armament of defensive works on Puget Sound, passed by the House, was referred to the Enrolling Committee.

Senate bill No. 81, Concerning official bonds, passed by the House, was referred to the Enrolling Committee.

Senate bill No. 34, Relative to innkeepers, passed by the House, was referred to the Enrolling Committee.

Senate bill No. 120, Prescribing the duties and compensation of the lieutenant-governor, passed by the House, was referred to the Enrolling Committee.

Senate concurrent resolution No. 30 was referred to the Enrolling Committee.

House bill No. 147, To create the office of state geologist, and declaring an emergency.

Rules suspended, read first and second time by title, and referred to the Committee on Mines and Mining.

House bill No. 146, To create a mining bureau, and declaring an emergency.

Rules suspended, read first and second time by title, and referred to the Committee on Mines and Mining.

SPECIAL ORDER.

Senate bill No. 56 was, on motion of Senator Parkinson, made a special order for to-morrow, at 2:30 P. M.

COMMITTEE REPORT.

MR. PRESIDENT:

Your Committee on Roads, Bridges and Fences, to whom was referred Senate bill No. 147, entitled "An act to prevent the obstruction of highways, etc., have had the same under consideration, and report it back with amendments, as follows: Amend sections 1 and 7, and insert new section and amend title. All of which are herewith submitted attached to the bill, and recommend their adoption and the passage of the same.

J. H. LONG, Chairman.

House memorial No. 19: Rules suspended, read first and second time by title.

On motion of Senator Seaborg, the rules were further suspended, the memorial read third time, and passed by the following vote:

Yeas: Austin, Clough, Drum, Hyde, Jones, Lawrence, Long, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Thompson (G. T.), Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding — 22.

Absent or not voting: Baker, Fairweather, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Kinnear, Kneeland, Landes, Snow, Thompson (L. F.), Van Houten.

House bill No. 98: Rules suspended, read first and second time by title, and, on motion of Senator Wood, referred to committee of the whole.

House bill No. 117: Rules suspended, read first and second time by title, and referred to the Committee on Agriculture.

House bill No. 175: Rules suspended, read first and second time by title, and referred to the Committee on Commerce.

House joint resolution No. 22 was, on motion of Senator Wood, made a special order for Thursday, 2 P. M., by a divisional vote of yeas 15, nays 6.

ENGROSSED BILLS.

MR. PRESIDENT:

Your standing Committee on Engrossed Bills begs leave to report that Senate bill No. 28, entitled "A bill for an act in relation to court commis-

sioners, their duties and compensation, and declaring an emergency to exist," has been carefully compared with the original bill and found correctly engrossed.

THOS. PAYNE, Chairman,
J. C. LAWRENCE.

By Senator Rinehart: Senate bill No. 158, An act to prescribe the jurisdiction of justices of the peace, and to repeal section 1886 of the code of Washington.

Rules suspended, read first and second time by title, and referred to the Judiciary Committee.

Senate bill No. 28 was put upon its final passage, and lost by the following vote:

Yeas: Austin, Clough, Fairweather, Jones, Kinnear, Luce, Payne, Rinehart, Seaborg, Thompson (G. T.), Vestal, Whalley, Wolfe, Wood, Wooding — 15.

Nays: Drum, Hyde, Lawrence, Long, Owings, Parkinson, Preston, Snow, Watt — 9.

Absent or not voting: Baker, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Kneeland, Landes, Thompson (L. F.), Van Houten, Wilson.

Senator Long gave notice that he would move to reconsider the vote by which the bill failed to pass.

Senate bill No. 82 was re-committed to the Judiciary Committee.

Senate bill No. 144 was, on motion of Senator Wood, laid on the table by divisional vote of yeas, 15; nays, 7.

Senate bill No. 92, Relative to the inspection and measurement of logs, was taken up, read third time, the committee amendments adopted, and on motion of Senator Fairweather, the bill was indefinitely postponed by divisional vote, yeas, 13; nays, 1.

Senator Owings gave notice that he would move to reconsider the vote by which the bill was indefinitely postponed.

Senate bill No. 140 was, on motion of Senator Drum, laid on the table.

Senate bill No. 125, On roads, etc., was taken up, the amendments reported by the committee were adopted, and, on motion of Senator Rinehart, the bill was laid on the table.

Senate bill No. 153 (substitute for Senate bill No. 117), Relative to chattel mortgages. On motion of Senator Lawrence the substitute was ordered to be printed.

STATE PRINTING.

MR. PRESIDENT:

Your standing Committee on Engrossed Bills beg leave to report that Senate bill No. 46, entitled, "An act to provide for the state printing and

binding, fixing the compensation of the state printer, prescribing his duties and to provide for the purchase of printing and binding materials, and declaring an emergency," has been carefully compared with the orignal bill, and found correctly engrossed.

THOS. PAYNE, Chairman,
J. C. LAWRENCE.

The engrossed bill was again amended by Senator Wilson and passed by the following vote:

Yeas: Austin, Clough, Fairweather, Fariss, Hyde, Lawrence, Long, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding — 23.

Nays: Jones, Kinnear, Kneeland — 3.

Absent or not voting: Baker, Drum, Forsyth, Guilfoil, Houghton, Hunsaker, Landes, Thompson (G. T.), Thompson (L. F.).

The emergency clause was passed by the following vote:

Yeas: Austin, Clough, Fairweather, Fariss, Hyde, Jones, Kneeland, Lawrence, Long, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding — 25.

Nays: Kinnear — 1.

Absent or not voting: Baker, Drum, Forsyth, Guilfoil, Houghton, Hunsaker, Landes, Thompson (G. T.), Thompson (L. F.).

GRAND JURORS.

House bill No. 181, Relative to grand jurors for superior courts, was passed by the following vote:

Yeas: Austin, Hyde, Kinnear, Kneeland, Lawrence, Long, Luce, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Vestal, Watt, Whalley, Wolfe, Wood, Wooding — 19.

Nays: Van Houten — 1.

Absent or not voting: Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Landes, Owings, Thompson (G. T.), Thompson (L. F.), Wilson.

The emergency clause failed by the following vote:

Yeas: Austin, Clough, Fairweather, Fariss, Hyde, Kinnear, Kneeland, Lawrence, Long, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Vestal, Watt, Whalley, Wolfe, Wooding — 22.

Nays: Van Houten, Wood — 2.

Absent or not voting: Baker, Drum, Forsyth, Guilfoil, Hough-

ton, Hunsaker, Jones, Landes, Thompson (G. T.), Thompson (L. F.); Wilson.

Senator Wood gave notice that he would move to reconsider the vote by which the emergency clause failed to pass.

Senate bill No. 99 was, on motion of Senator Luce, laid on the table.

House bill No. 106: The committee amendment was adopted and the bill passed by the following vote:

Yeas: Austin, Clough, Fairweather, Fariss, Hyde, Kneeland, Lawrence, Long, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe. Wood, Wooding — 24.

Absent or not voting: Baker, Drum, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Kinnear, Landes, Thompson (G. T.), Thompson (L. F.).

Senate bill No. 110 was, on motion of Senator Whalley, laid on the table.

Senator Fairweather was excused for the rest of the day.

House bill No. 64 was passed by the following vote:

Yeas: Austin, Clough, Drum, Fariss, Kinnear, Kneeland, Lawrence, Long, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding — 19.

Nays: Hyde — 1.

Absent or not voting: Baker, Fairweather, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Landes, Luce, Snow, Thompson (G. T.), Thompson (L. F.)

The bill was then laid on the table pending a vote on the emergency clause.

Senate bill No. 156, substitute for Senate bills Nos. 102 and 54, was re-committed to the Committee on Agriculture.

Senate bill No. 157, substitute for No. 94. The substitute was adopted, read and passed by the following vote:

Yeas: Austin, Clough, Drum, Fariss, Hyde, Kinnear, Kneeland, Lawrence, Long, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding — 26.

Absent or not voting: Baker, Fairweather, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Landes, Thompson (L. F.).

On motion of Senator Whalley, House bill No. 64 was taken up and the emergency clause passed by the following vote:

Yeas: Austin, Clough, Drum, Fariss, Kinnear, Kneeland, Lawrence, Long, Luce, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Whalley, Wilson, Wolfe, Wood, Wooding—24.

Nays: Hyde, Watt—2.

Absent or not voting: Baker, Fairweather, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Landes, Owings.

The title was amended by adding the words "and declaring an emergency clause."

House bill No. 131: On the pending motion of Senator Long to strike out all after the enacting clause, the yeas and nays were called for by Senators Kinnear, Rinehart, Vestal, Drum, Kneeland and Long, the vote resulting as follows:

Yeas: Austin, Fariss, Hyde, Long, Owings, Snow—6.

Nays: Drum, Kinnear, Kneeland, Parkinson, Payne, Preston, Rinehart, Seaborg, Thompson (G. T.), Van Houten, Vestal, Watt, Whalley, Wood, Wooding—15.

Absent or not voting: Baker, Clough, Fairweather, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Landes, Lawrence, Luce, Thompson (L. F.), Wilson, Wolfe.

Lost.

On the amendment to strike out section 1 the divisional vote was as follows: Yeas, 9; nays, 10.

Lost.

On motion of Senator Wood, the word "wilfully" was inserted before the word "violating," in section 3.

Senator Drum moved that the bill be considered engrossed and placed on its final passage.

Senator Whalley moved to adjourn until 1:30 P. M. to-morrow.

Adopted, and at 5:32 the Senate adjourned.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 5, 1890.
1:30 o'clock P. M.

The Senate called to order pursuant to adjournment by Senator Parkinson.

Roll called; all present except Senators Forsyth, Guilfoil, Houghton and Hunsaker, who were excused.

Journal of yesterday read and approved.

Senator Fairweather offered Senate concurrent resolution No. 33, Instructions to the Judiciary Committees of both houses.

The resolution was adopted.

By Senators G. T. Thompson and E. T. Wilson: Senate joint resolution No. 34, Condolence with Hon. James G. Blaine and Hon. Benjamin F. Tracy.

Rules suspended, read first and second time by title; rules further suspended, read third time and passed unanimously, as follows:

Yeas: Austin, Clough, Drum, Fairweather, Fariss, Hyde, Jones, Kinnear, Kneeland, Landes, Long, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding — 28.

Absent or not voting: Baker, Forsyth, Guilfoil, Houghton, Hunsaker, Lawrence, Luce.

COMMITTEE REPORT.

MR. PRESIDENT:

Your Committee on Revenue and Taxation, to whom was referred Senate bill No. 76, entitled "An act to provide for the publication of the names of tax payers and the total valuations upon which tax payers pay taxes in the respective counties of the State of Washington," after having considered the same respectfully report it back without recommendation.

H. W. FAIRWEATHER, Chairman,
HENRY LANDES,
B. C. VAN HOUTEN,
S. VESTAL,
C. T. WOODING,
E. T. WILSON,
H. DRUM,
J. H. LONG.

MR. PRESIDENT:

Your Committee on Revenue and Taxation, to whom was referred Senate bill No. 85, entitled "An act relating to the duties of state treasurer, fixing his salary and providing punishment for violation of this act," after having carefully considered the same, respectfully recommend its passage with the following amendments:

In line 3 of section 9, strike out the word "one" and insert "three" in place thereof, so that it may read "three thousand" in place of "one thousand."

Insert an additional section, No. 13, repealing all acts and parts of acts in conflict with this act.

H. W. FAIRWEATHER, Chairman.
B. C. VAN HOUTEN,
S. VESTAL,
E. T. WILSON,
HENRY LANDES,
HENRY DRUM.

MR. PRESIDENT:

The joint committee appointed pursuant to Senate concurrent resolution No. 18, for the purpose of ascertaining and reporting the amount due Messrs. Doolittle, Isham & Snively, code commissioners, for their attendance on this legislature with their work as prepared by them, respectfully report that it has had the matters so referred to it under consideration and find that each of said commissioners is entitled to twenty days attendance at $5 per day, making $100 for each commissioner, or $300 in all, and your committee recommends the allowance of that sum, and also, submits herewith a bill for the allowance thereof, and recommends the passage of the bill. Respectfully submitted,

J. R. KINNEAR,
HENRY DRUM,
Senate Committee.

L. B. NIMS,
R. H. HUTCHINSON,
J. A. KUHN,
House Committee.

To the Honorable President of the Senate, State of Washington:

Your Committee on Mines and Mining, to whom was referred House bill No. 146, An act entitled "An act to create a mining bureau, to define its powers and duties and declaring an emergency;" also, House bill No. 147, An act entitled "An act to create the appointment of a state geologist, prescribing his duties and compensation, making an appropriation for the same, and declaring an emergency," have had the same under careful consideration, and respectfully report the same back to the Senate with the recommendation that the bills do pass.

J. H. JONES,
F. H. LUCE,
Committee.

MR. PRESIDENT:

Your Committee on Roads, Bridges and Fences, to whom was referred Senate bill No. 126, entitled "An act to provide for keeping highways in repair, etc., have had the same under consideration, and report it back with amendments herewith attached to the bill, and recommend their adoption, and passage of the same. J. H. LONG, Chairman.

MR. PRESIDENT:

Your Committee on Revenue and Taxation, to whom was referred House bill No. 123, entitled "An act for the appointment of a fish commission, and defining its duties, and declaring an emergency to exist," after having carefully considered the same, respectfully recommend its passage.

H. W. FAIRWEATHER, Chairman,
H. LANDES,
B. C. VAN HOUTEN,
HENRY DRUM,
S. VESTAL,
C. T. WOODING.

MR. PRESIDENT:

Your Committee on Revenue and Taxation, to whom was referred House bill No. 92, entitled "An act for the appointment of a state examiner, defining his duties and fixing his compensation," after having carefully considered the same do not deem it expedient at this time to make appropriation for defraying the expenses of this office, therefore recommend that the bill be indefinitely postponed.

H. W. FAIRWEATHER, Chairman,
J. H. LONG,
HENRY DRUM,
S. VESTAL,
B. C. VAN HOUTEN,
E. T. WILSON,
HENRY LANDES,
C. T. WOODING.

Report adopted.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills beg leave to report that Senate bill No. 120, entitled "An act prescribing the duties and compensation of the lieutenant-governor, and declaring an emergency," and Senate joint memorial No. 20, Praying the congress of the United States for the erection and armament of defensive works on Puget Sound, have been carefully compared with the engrossed copies thereof, and found correctly enrolled.

J. M. SNOW, Chairman.
W. V. RINEHART.

The President announced that he was about to sign Senate bill No. 120 and Senate joint memorial No. 20, which was done.

On motion of Senator Long Senate bill No. 125, relative to roads and highways, was taken from the table for consideration.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he was instructed by the House to inform the Senate that the House has passed Senate joint resolution No. 34, Condolence with Hon. James G. Blaine and Hon. B. F. Tracy.

SPECIAL ORDER.

The hour having arrived for the consideration of Senate bill No. 56, Senator Long moved that the Senate proceed with the consideration of Senate bill No. 125.

Lost by a divisional vote. Yeas 11, nays 12.

Senate bill No. 56, To locate a soldiers' home, was then taken up.

On motion of Senator Kinnear the Senate resolved itself in committee of the whole, Senator Payne in the chair.

The committee arose, reported the bill to the Senate with amendment, as follows: Strike out section 4 and insert,

SEC. 4. To carry out the provisions of this act there shall, and is hereby appropriated out of any moneys in the state treasury, or that may come therein to the credit of the general revenue fund, not otherwise appropriated, the sum of ten thousand dollars, which may be drawn as required by the board of trustees provided for in this act.

Senator Parkinson in the chair.

President in the chair.

Upon the amendment Senators Rinehart, Kinnear, Baker, Owings, Austin and Whalley called for the yeas and nays.

The amendment failed to pass by the following vote:

Yeas: Clough, Fairweather, Fariss, Jones, Kinnear, Kneeland, Landes, Luce, Parkinson, Payne, Rinehart, Seaborg, Vestal, Wolfe — 14.

Nays: Austin, Baker, Drum, Hyde, Owings, Preston, Snow, Thompson (L. F.), Van Houten, Watt, Whalley, Wilson, Wood, Wooding — 14.

Absent or not voting: Forsyth, Guilfoil, Houghton, Hunsaker, Lawrence, Long, Thompson (G. T.).

The bill then failed of passage by the following vote:

Yeas: Clough, Fairweather, Fariss, Kinnear, Kneeland, Landes,

Luce, Parkinson, Payne, Rinehart, Seaborg, Thompson (G. T.), Vestal, Wolfe — 14.

Nays: Austin, Baker, Drum, Hyde, Jones, Owings, Preston, Snow, Thompson (L. F.), Van Houten, Watt, Whalley, Wilson, Wood, Wooding — 15.

Absent or not voting: Forsyth, Guilfoil, Houghton, Hunsaker, Lawrence, Long.

COMMITTEE REPORT.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills begs leave to report that Senate joint resolution No. 34, Of condolence with the Hon. James G. Blaine and the Hon. Benjamin F. Tracy, has been carefully compared with the engrossed copy thereof, and found correctly enrolled.

J. M. SNOW, Chairman,
W. V. RINEHART.

The president announced that he was about to sign Senate joint resolution No. 34, which was done.

Senate bill No. 125, Relative to roads and highways, was taken up.

Senator Whalley offered an amendment to section 2, which was not adopted.

On motion of Senator Drum, the word "30" was stricken out of section 5, and "20" inserted.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he was instructed by the House to inform the Senate that the speaker has signed Senate concurrent resolution No. 34, Condolence with Hon. J. G. Blaine and Hon. Benj. F. Tracy, and the same is herewith returned to the Senate for transmission to the governor.

The resolution was ordered to be placed in the hands of the Enrollment Committee to be forwarded to the governor.

Senator Kinnear in the chair.

Senator Kneeland moved to strike out of section 2 all after the word "fail," in line 19 of original bill.

Adopted.

President in the chair.

Senator Long moved to postpone the bill indefinitely.

Upon this question, Senators Long, Austin, Whalley, Baker, Kneeland and Van Houten called for the yeas and nays.

The bill was not postponed by the following vote:

Yeas: Austin, Fairweather, Hyde, Long, Owings, Van Houten, Watt — 7.

Nays: Baker, Clough, Drum, Fariss, Jones, Kinnear, Kneeland, Luce, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Vestal, Whalley, Wilson, Wolfe, Wood, Wooding — 21.

Absent or not voting: Forsyth, Guilfoil, Houghton, Hunsaker, Landes, Lawrence, Thompson (L. F.).

Senator Thompson gave notice of a motion to reconsider the vote by which Senator Kneeland's amendment was adopted.

On motion of Senator Owings, the Senate, at 5:40, adjourned until 1:30 P. M. to-morrow.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 6, 1890.
1:30 o'clock P. M.

Senate called to order, pursuant to adjournment; the president in the chair.

Roll call; all the members present.

Journal of yesterday read and approved.

Senator Long moved the vote by which the Senate refused to pass Senate bill No. 28 be reconsidered.

Adopted.

On motion of Senator Long, the bill was laid on the table by a divisional vote: Yeas 14, nays 13.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared, and announced that he was instructed by the House to inform the Senate that the House had passed the following:

House concurrent resolution No. 23, Relating to duties of county clerks.

House bill No. 248, An act to prevent the unlawful acceptance or use of a pass, etc.

House bill No. 251, An act in relation to issuing passes to officers of the public.

Has also passed House bill No. 18, An act providing for township organization, and the same are transmitted to the Senate for your action.

Senator Wood moved to reconsider the vote whereby the emergency clause of House bill No. 181 failed to pass.

Adopted.

The emergency clause was then passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Jones, Kinnear, Kneeland, Landes, Lawrence, Long, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Thompson (L. F.), Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding—33.

Absent or not voting: Fariss, Van Houten.

Senator Lawrence moved that the vote by which Senate bill No. 135 failed of passage be reconsidered and the bill re-committed to the Committee on Public Library.

Adopted.

On motion of Senator Long Senate bill No. 125 was taken up for consideration and amended.

SPECIAL ORDER.

House joint resolution No. 82, Relative to adjournment on March 6, came up.

Senator Long moved to indefinitely postpone the resolution.

Adopted by divisional vote: Yeas 16, nays 13.

Senator Parkinson in the chair.

Senate bill No. 125 was again taken up and amended in several sections, Senators Guilfoil and G. T. Thompson and the president in the chair, and ordered to be engrossed.

The following amendments were made to the bill.

In section 5, line 4, original bill, strike out "clerks" and insert after "office," "of the clerk of the board of county commissioners." Strike out all of the word "presented," in line 12, section 5 of original bill, and insert "for two consecutive weeks before the presentation of any such petition in some newspaper published in the county in which the road sought to be established, altered or vacated by such petition is situated, if there be a newspaper therein."

In section 8, after "commissioners," in third line, insert "or the superior judge shall."

In section 9, after "non-resident," strike out "of the county," and insert "or unknown owner" in two places. In same section, strike out all after "there," down to and including the word "situated," and insert "by posting said notice in five public places in said county for said time."

In section 20, add the word "materially" before "increase." In same section, strike out "in all respects made equal to the old road for the convenience of travelers and."

In section 24, after "opened," 2d line, insert "on any county or state line."

In section 30, insert word "overseer" for "supervisor;" after "provisions of" insert "section 29 of;" insert "shall" in place of "may" before "appoint;" strike out "viewers and."

In section 31, strike out "on the order of the supervisor of the road district."

In section 32, insert "been" after "heretofore;" strike out "seven" and insert "five;" strike out "erecting" and insert "building."

In section 34, strike out all after "roads" and insert "established under this act."

In section 40, strike out "by chapter two," and after "commissioners" insert "under this act."

In section 44, after "oath," strike out "or any other competent authority."

In section 49, after "notice," insert "shall be served."

In section 51, insert "it" after "time."

In section 54, strike out "insistance" and insert "instance;" strike out "respectfully" and insert "respectively."

Strike out section 64.

On motion of Senator Landes, the Senate, at 5:40 P. M., adjourned until 1:30 P. M. to-morrow.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 7, 1890.
1:30 o'clock P. M.

Senate called to order, pursuant to adjournment; the president in the chair.

Roll call; all present except Senator Drum, who was excused.

Journal of yesterday read and approved.

Senator Kinnear offered two petitions from citizens of Fall City and other sections of King county asking for the passage of a bill entitled "An act to provide for the establishment and maintenance of a home for honorably discharged Union soldiers, sailors, marines, and also members of the state militia disabled while in the line of duty, and who are *bona fide* citizens of this state."

COMMITTEE REPORTS.

MR. PRESIDENT:

Your standing Committee on Enrolled bills begs leave to report that Senate bill No. 87, entitled "An act providing for the appointment of official stenographers for the superior courts of this state, and fixing their compensation and duties," and Senate bill No. 81, entitled "An act concerning official bonds," and Senate bill No. 41, entitled "An act to protect salmon and other food fishes in the State of Washington, and upon all waters upon which this state has jurisdiction and concurrent jurisdiction," and Senate bill No. 34, entitled "An act to relieve inn-keepers from liability in certain cases, and prescribing their responsibilities therein;" also Senate concurrent resolution No. 30, Constituting the Committees on Claims and Ways and Means of the two houses a joint committee to provide and report general appropriation bills for the public service during the ensuing year, have been carefully prepared with the engrossed copies thereof and found correctly enrolled.

J. M. SNOW, Chairman,
J. HUNSAKER,
W. V. RINEHART.

The president announced that he was about to sign Senate bill No. 81, Senate bill No. 41, Senate bill No. 34, Senate concurrent resolution No. 30, and Senate bill No. 87, which was done.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your Committee on Revenue and Taxation, to whom was referred House bill No. 78, An act to appoint a commissioner to compile, re-

arrange and annotate the laws of Washington, and to provide for the public distribution thereof, report the same back to the Senate without recommendation. H. W. FAIRWEATHER, Chairman.

To the President of the Senate:

We, your Committee on Education, to whom was referred Senate bill No. 148, have had the same under consideration, and beg leave to report the same back with amendments for the favorable consideration of the Senate. Respectfully submitted,

J. C. LAWRENCE, Chairman.
W. J. PARKINSON.

Senator Drum being absent.

MR PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 152, entitled "An act in relation to liens of mechanics, laborers and materialmen upon real property, and to amend chapter CXXXVIII of the code of Washington relating to the same subject," have had the same under consideration and now respectfully report the same back to the Senate with the following amendment, and as amended recommend the passage of the bill.

Amendment 1: Strike out all of section 2.

Respectfully submitted, J. R. KINNEAR, Chairman.

Report concurred in by Senators Whalley, Wood, Thompson and Payne, the other members being absent.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he had been instructed by the House to inform the Senate that the House has passed the following:

House bill No. 191, An act to define the port of Port Townsend.

House bill No. 190, An act for the protection of builders.

House bill No. 217, An act to regulate the sale of property by auctioneers, and providing a penalty for its violation.

House bill No. 122, An act defining trespass on the public lands of the state, and providing penalties, and declaring an emergency.

House bill No. 202, An act to protect lobsters.

And the same is transmitted to the Senate for your action.

The speaker has signed House memorial No. 19, Praying congress for an appropriation for Gray's Harbor and Chehalis river.

Also, Senate joint memorial No. 20, Praying congress for the erection of defensive works on Puget Sound.

Also, Senate bill No. 120, In relation to the lieutenant-governor.

And the same are herewith transmitted to the Senate for the signature of the president.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 158, entitled "An act to prescribe the jurisdiction of justices of the peace in criminal prosecutions, and to repeal section 1,886 of the code of Washington," have had the same under consideration, and now respectfully report the same back to the Senate with the recommendation that the bill pass.

Your Committee on Judiciary, to whom was referred Senate bill No. 130, entitled "An act to amend sections 1,957 and 1,967, chapter 138, of the Code of Washington Territory," have had the same under consideration, and now respectfully report the same back to the Senate with the recommendation that the bill pass. Respectfully submitted,

J. R. KINNEAR, Chairman.

Report concurred in by Senators Whalley, Wood, Payne and Thompson, being all the members of said committee present.

MR. PRESIDENT:

Your standing Committee on Claims, having considered the claim of the Puget Sound & Alaska Steamship Company for transportation and meals furnished to the Joint Committee on Tide Lands during their recent investigation, under a concurrent resolution of the Senate and House of Representatives, would respectfully report that, in our judgment, the committee should submit a bill covering their *actual disbursements* on account of expenses incurred, and that such bill be paid by the state.

We are informed that no charge was made, nor is any claim made by the company who furnished the transportation and meals charged for in this bill, and that the committee make no claim therefor, but that this claim is submitted in deference to a supposed popular demand that we pay this $600, for which there is no actual claimant. The committee make no claim for extra compensation, and the steamship company refusing, as we believe they would, to receive the amount, would leave no claimant for the amount; therefore, we shall not approve the claim, unless instructed so to do by order of the Senate.

Respectfully submitted,

W. V. RINEHART, Chairman,
SAMUEL VESTAL,
J. HUNSAKER.

MR. PRESIDENT:

Your Committee on State, School and Granted Lands, to whom was submitted Senate bill No. 146, have had the same under consideration, and beg leave to report the accompanying bill as a substitute therefor, and recommend the passage of said substitute bill.

W. J. PARKINSON,
L. F. THOMPSON,
J. M. SNOW,
L. B. CLOUGH,
B. C. VAN HOUTEN,
E. T. WILSON,
O. D. GUILFOIL,
Committee.

MR. PRESIDENT:

Your Committee on Roads, Bridges and Highways, to whom was referred House bill No. 185, entitled "An act to authorize county commissioners to issue bonds for road purposes," have had the same under consideration, and have amended sections 2, 3, 4, 5 and 8, and by striking out section 9, and report the same back, with amendments attached to the bill, and recommend their adoption and passage of the same.

J. H. LONG, Chairman.
E. B. HYDE,
A. T. FARISS.

MR. PRESIDENT:

Your Committee on Roads, Bridges and Highways, to whom was referred Senate bill No. 127, entitled "An act for laying out, opening, building and maintaining turnpike roads, and providing for counties issuing bonds for the same, have had the same under consideration and have amended sections 2, 6, 8, 11 and 12, and report it back with amendments herewith attached to the bill, and recommend their adoption and passage of the same.

J. H. LONG, Chairman.
E. B. HYDE,
A. T. FARISS.

COMMUNICATION FROM SERGEANT-AT-ARMS.

MR. PRESIDENT:

Owing to the number of House bills introduced and printed, the House bill files of the Senate have become entirely filled, and new files to the number of twenty-six (26) will have to be purchased at once. It is also probable that more files will shortly have to be purchased from the same cause. The files in use now can only be used once. I would respectfully call the Senate's attention to the Keystone file; this file can be used continuously and by succeeding sessions of the legislature, as bills can be readily removed. These files can be purchased for $2.75 each. The sergeant-at-arms can issue them on receipt of the members; and at the end of the session members who return the files will have their receipts returned; those not returning files to pay for them at cost price to the state. The files returned can be received by the custodian of the state house, and used at the next legislative session.

HARRY A. CLARKE,
Sergeant-at-Arms of the Senate.

On motion of Senator Wilson, the sergeant-at-arms was instructed to purchase the necessary files and take receipts of Senators therefor.

The president announced that he was about to sign House memorial No. 19, Senate joint memorial No. 20, and Senate bill No. 120, which was done.

THE PHYSICIANS' BILL.

Senator Luce moved to take from the table House bill No. 27.

Adopted.

Senator Wood offered the following amendment:

Add to line 3 of the printed bill after "state," "three (3) of whom shall be homeopathic physicians."

Senator Vestal offered the following amendment to the amendment:

"*Provided*, That not more than four of which board shall be appointed from any one school."

The latter was defeated by the following vote:

Yeas: Baker, Forsyth, Hunsaker, Jones, Kinnear, Lawrence, Preston, Rinehart, Seaborg, Vestal, Wolfe — 11.

Nays: Austin, Clough, Fairweather, Fariss, Guilfoil, Houghton, Hyde, Kneeland, Landes, Long, Luce, Owings, Parkinson, Payne, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Watt, Whalley, Wilson, Wood, Wooding — 23.

Absent or not voting: Drum.

The amendment of Senator Wood was adopted by a divisional vote: Yeas 17, nays 13.

Senator Preston moved to strike out the word "regular" before "physician."

Lost.

Senator Parkinson in the chair.

Senator Wolfe offered the following:

Section 3, after the words "a license for," strike out the four words following and add "drunkenness or gross neglect of duty."

The yeas and nays were called for unanimously.

Lost by the following vote:

Yeas: Hunsaker, Jones, Rinehart, Vestal, Wolfe — 5.

Nays: Austin, Baker, Clough, Fairweather, Fariss, Forsyth, Guilfoil, Houghton, Hyde, Kneeland, Landes, Lawrence, Long, Luce, Owings, Parkinson, Payne, Preston, Seaborg, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Whalley, Wilson, Wood, Wooding — 27.

Absent or not voting: Drum, Kinnear, Watt.

Senator Wolfe then moved that the words "drunkenness and neglect of duty" be added after the words "dishonorable conduct."

Lost.

Senator Preston moved that the word "shall" be inserted instead of "may" before "revoke."

Lost by divisional vote — yeas 15, nays 16.

Lenator Wolfe offered the following:

SEC. 7. Strike out all of lines 1 and 2, printed bill, and insert: "Chapter No. 169, code of 1881, and chapter No. 86, session laws of 1887 and 1888, and all other laws upon the statutes of Washington, enacted to regulate the practice of medicine and surgery, are hereby repealed."

Lost.

President in the chair.

Senator Houghton moved to reconsider the vote by which Senator Wood's amendment to section 1 was adopted.

Upon this the yeas and nays were unanimously called for and resulted as follows:

Yeas: Clough, Fairweather, Fariss, Guilfoil, Houghton, Hyde, Jones, Kneeland, Landes, Lawrence, Long, Luce, Owings, Payne, Seaborg, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Watt, Whalley, Wilson — 22.

Nays: Austin, Baker, Forsyth, Hunsaker, Kinnear, Parkinson, Preston, Rinehart, Vestal, Wolfe, Wood, Wooding — 12.

Absent or not voting: Drum.

Adopted.

The amendment then failed of passage by a divisional vote — 15 affirmative, 18 in negative.

Senator Kinnear offered the following amendment:

Add after "state" at end of line 3, printed bill, the words "without regard to the school of medicine to which they may belong."

Lost by the following vote, the yeas and nays being called for unanimously:

Yeas: Baker, Forsyth, Hunsaker, Jones, Kinnear, Lawrence, Preston, Rinehart, Seaborg, Vestal, Wolfe, Wood, Wooding — 13.

Nays: Austin, Clough, Fairweather, Fariss, Guilfoil, Houghton, Hyde, Kneeland, Landes, Long, Luce, Owings, Parkinson, Payne, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Watt, Whalley, Wilson — 21.

Absent or not voting: Drum.

Senator Wood moved that the word "regular" be stricken out and the word "competent" inserted.

Lost by a divisional vote: Yeas 12, nays 18.

The bill was passed by the following vote:

Yeas: Austin, Clough, Fairweather, Fariss, Forsyth, Guilfoil, Houghton, Hyde, Kneeland, Landes, Long, Luce, Owings, Parkinson, Payne, Snow, Thompson (G. T.), Van Houten, Watt, Whalley, Wilson, Wood — 22.

Nays: Baker, Hunsaker, Jones, Kinnear, Lawrence, Preston, Rinehart, Seaborg, Vestal, Wolfe, Wooding — 11.

Absent or not voting: Drum, Thompson (L. F.)

The emergency clause failed of passage by the following vote:

Yeas: Austin, Clough, Fairweather, Fariss, Guilfoil, Houghton, Hyde, Landes, Lawrence, Long, Luce, Owings, Parkinson, Payne, Seaborg, Snow, Thompson (L. F.), Van Houten, Watt, Whalley, Wilson — 21.

Nays: Forsyth, Hunsaker, Jones, Kinnear, Kneeland, Preston, Rinehart, Thompson (G. T.), Vestal, Wolfe, Wood, Wooding — 12.

Absent or not voting: Baker, Drum.

Senators Wood and Thompson gave notice of a motion to reconsider the vote by which the emergency clause failed to pass.

Senator Long was excused until Monday.

Senator Kneeland was excused until 3 P. M. to-morrow.

INTRODUCTION OF BILLS.

Senate bill No. 159, An act for the relief of W. H. Doolittle, A. E. Isham and H. J. Snively.

Rules suspended, read first and second time by title, and referred to committee of whole.

House concurrent resolution No. 23, Relating to the duties of county clerks, was read.

The Senate by a divisional vote refused to concur; yeas 9, nays 10.

House bill No. 248, To prevent the acceptance or use of passes by public officers in the state.

Rules suspended, read first and second time by title, and referred to Committee on Public Morals.

House bill No. 202, An act to protect lobsters.

Same action; referred to Committee on Fisheries.

House bill No. 18, An act to provide for township organizations and the government of the same.

Same action; referred to Committee on County Boundaries.

By Senator Baker, by request: Senate bill No. 160, To regulate the practice of architecture in Washington.

Rules suspended, read first and second time by title, and referred to the Judiciary Committee.

Senators Landes, Luce and Fairweather were excused for the day.

By Senator Preston, by request: Senate bill No. 161, For the relief of Frank J. Parker.

Rules suspended, read first and second time by title, and referred to Committee on Claims.

House bill No. 251, Relating to the issuing of passes and selling tickets at reduced rates to public officials.

Rules suspended, read first and second time by title, and referred to Committee on Public Morals.

House bill No. 191, An act defining the port of Port Townsend.

Rules suspended, read first and second time by title, and referred to the Committee on Harbors and Harbor Lines.

House bill No. 190, An act for the protection of builders.

Same action; referred to Committee on Labor and Labor Statistics.

House bill No. 217, An act to regulate the sale of property by auctioneers.

Same action; referred to Committee on Manufactures.

House bill No. 122, Relative to trespass on public lands.

Same action; referred to Committee on Judiciary.

By Senator Fairweather: Senate bill No. 162, A bill for the relief of Miles C. Moore.

Same action; referred to Committee on Claims.

By Senator Watt: Senate bill No. 163, Providing for the organization of new counties.

Same action; referred to the Committee on County and County Boundaries.

By Senator Wood: Senate bill No. 164, Relative to actions of forcible entry and detainer.

Same action; referred to Judiciary Committee.

By Senator Wood: Senate bill No. 165, Relative to appropriation of lands, etc.

Same action; referred to Committee on Corporations.

By Senator Rinehart: Senate bill No. 166, To repeal an act relative to encouragement of oyster cultivation.

Same action; referred to the Committee on State Tide Lands.

By Committee on Revenue and Taxation: Senate bill No. 167, For the relief of John Sullivan, Washington Standard and John Miller Murphy.

Same action; referred to Committee on Claims.

By Senator Payne: Senate bill No. 168, To create a code commission.

Same action; referred to Committee on Judiciary.

A substitute for Senate bill No. 146 was ordered to be printed.

Senator Austin was excused until Monday.

By Senator Drum: Senate bill No. 169, To legalize conveyances and other instruments affecting real estate.

Read first and second time by title, and referred to Committee on Judiciary.

By Senator Drum: Senate bill No. 170, Concerning property of husband and wife, etc.

Same action; referred to Committee on Judiciary.

By Senator Drum: Senate bill No. 171, Concerning conveyances.

Same action; referred to Committee on Judiciary.

At 4:45 P. M. the Senate adjourned, on motion of Senator Whalley, to 10:30 A. M. to-morrow.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 8, 1890.
10:30 o'clock A. M.

Senate called to order, pursuant to adjournment; the president in the chair.

Roll call; all present except Senators Baker, Kneeland, Long, Preston, Seaborg and Thompson (L. F.), who were excused.

Journal of yesterday read and approved.

THE CODE BILL.

Senator Wood moved to take from the general file House bill No. 78, Relative to a code commissioner and a codification of the laws, reported from the Committee on Public Revenue and Taxation yesterday.

Adopted; yeas 16, nays 6.

On motion of Senator Kinnear, Senate bill No. 143, Relative to a soldiers' home, was made a special order for Wednesday, February 19th, at 2 P. M.

Senator Drum moved that House bill No. 78 be made a special order for Tuesday, February 18th, at 2 P. M.

Senator Wooding moved to amend to make it Wednesday at 2 P. M.

Lost; yeas 11, nays 18.

Senator Seaborg was given an indefinite leave.

Senators Thompson (L. F.), Preston and Baker were excused.

The Senate then, on motion, went into committee of the whole on Senate bill No. 78.

The committee arose, the president took the chair.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced a message from the House instructing him to report to the Senate that the House had passed the following:

House bill No. 72, An act for the establishment and government of the University of Washington, and making appropriations therefor.

House bill No. 160, An act providing for the use of water for the purposes of irrigation and providing for the condemnation of right-of-way for ditches to carry water, and declaring an emergency, and has passed the emergency clause.

Has also passed House bill No. 168, An act to authorize road districts to levy special taxes for road and bridge purposes.

The speaker has signed Senate bill No. 81, An act concerning official bonds. Senate bill No. 41, An act to protect salmon. Senate bill No. 34, An act to relieve inn-keepers, etc., and Senate bill No. 87, An act providing for the appointment of official stenographers, etc., all of which have been signed by the president, and the same are herewith returned to the Senate for transmission to the governor.

The speaker has signed House bill No. 181, An act to provide grand jurors for the superior courts of this state, which has passed both houses, been reported correctly enrolled and the same is herewith transmitted to the Senate for the signature of the president.

The Senate again went into committee of the whole, Senator Fairweather in the chair.

At 12:45 the committee arose and reported House bill No. 78 back without amendments.

President in the chair.

Senator Drum offered the following amendment:

Add after section 5, "The printing of said code shall be done by some competent printing and publishing house located and doing business within the State of Washington."

Upon this Senators Owings, Drum, Kinnear, Rinehart, Hunsaker and Wolfe demanded the yeas and nays.

Lost by the following vote:

Yeas: Drum, Forsyth, Hunsaker, Lawrence, Owings, Payne, Thompson (G. T.), Vestal, Wolfe—9.

Nays: Austin, Clough, Fairweather, Fariss, Guilfoil, Houghton, Hyde, Jones, Kinnear, Landes, Long, Parkinson, Rinehart, Snow, Watt, Whalley, Wilson, Wood, Wooding—19.

Absent or not voting: Baker, Kneeland, Luce, Preston, Seaborg, Thompson (L. F.), Van Houten.

Senator Owings moved to adjourn until 2 P. M. on Monday.

Lost.

Senator Owings moved to strike out section 6 of the bill.

Senators Owings, Kinnear, Rinehart, Drum, Wolfe and Forsyth called for the yeas and nays.

Lost by the following vote:

Yeas: Drum, Forsyth, Owings, Payne, Vestal, Wolfe—6.

Nays: Austin, Clough, Fairweather, Fariss, Guilfoil, Houghton, Hunsaker, Hyde, Jones, Kinnear, Landes, Lawrence, Luce, Parkinson, Rinehart, Snow, Thompson (G. T.), Watt, Whalley, Wilson, Wood, Wooding—22.

Absent or not voting: Baker, Kneeland, Long, Preston, Seaborg, Thompson (L. F.), Van Houten.

Senator Drum moved to strike "ten dollars" from section 9 and insert "five dollars."

Lost.

Senator Houghton moved the previous question, which was seconded by the requisite number, and the main question was ordered by a divisional vote; yeas 17, nays 9.

The bill was then passed by the following vote:

Yeas: Austin, Clough, Fairweather, Fariss, Guilfoil, Houghton,

Hunsaker, Hyde, Jones, Kinnear, Landes, Luce, Owings, Parkinson, Rinehart, Snow, Watt, Whalley, Wilson, Wood, Wooding —21.

Nays: Drum, Forsyth, Lawrence, Payne, Thompson (G. T.), Vestal, Wolfe—7.

Absent or not voting: Baker, Kneeland, Long, Preston, Seaborg, Thompson (L. F.), Van Houten.

Senators Owings and Hunsaker, who had voted in the negative, changed their votes to the affirmative before the vote was announced.

Senator Owings gave notice that he would move a reconsideration of the vote by which the bill was passed.

The vote being taken on the emergency clause, it failed by the following vote:

Yeas: Austin, Clough, Fairweather, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Jones, Kinnear, Landes, Luce, Parkinson, Rinehart, Snow, Watt, Whalley, Wooding—19.

Nays: Drum, Lawrence, Owings, Payne, Vestal, Wilson, Wolfe, Wood—8.

Absent or not voting: Baker, Kneeland, Long, Preston, Seaborg, Thompson (G. T.), Thompson (L. F.), Van Houten.

Senator Wilson, who changed his vote from the affirmative to the negative before the vote was announced, gave notice that he would move to reconsider the vote by which the emergency clause failed.

Senator Wood moved that House bill No. 208 be made a special order for Tuesday, 11th inst., at 2 P. M.

Adopted.

On motion of Senator Kinnear, the Senate, at 1:10 P. M., adjourned until 2 P. M. on Monday, 10th inst.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 10, 1890.
2 o'clock P. M.

Senate called to order pursuant to adjournment.

President in the chair.

Roll called; absent, Senators Austin, Clough, Houghton, Kinnear.

Kneeland, Preston, Seaborg and Wooding, all of whom were excused.

Journal of Saturday, 8th inst., read and approved.

COMMITTEE REPORT.

MR. PRESIDENT:

Your standing Committee on Engrossed Bills beg leave to report that Senate bill No. 64, entitled "An act relating to fire escapes," has been carefully compared with the original bill and found correctly engrossed.

THOS. PAYNE, Chairman.
J. C. LAWRENCE.

Senator Watt presented a petition from citizens of Spokane county, for the passage of a bill for the establishment of a soldiers' home.

Read and referred to the Judiciary Committee.

A petition from citizens of Jefferson county was presented by Senator Landes, to the same effect, and referred to the same committee.

Senator L. F. Thompson offered Senate concurrent resolution No. 35:

Resolved by the Senate, the House of Representatives concurring: That no new measures, bills or business shall be introduced for the action of this legislature after the 25th inst.

Senator Long moved to amend by inserting the 20th instead of 25th.

Adopted, and the concurrent resolution was adopted.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he was instructed by the House to inform the Senate that the House has passed House memorial No. 20, In relation to a navy yard at Port Orchard.

House concurrent resolution No. 25, Appointing a joint committee in relation to the debates of the constitutional convention.

The following communication was read:

MR. PRESIDENT:

I desire to inform the Senate that I cannot keep a flag displayed on the capitol, according to the resolution adopted by your honorable body at the beginning of the session, because of the fact that the flag has been almost totally destroyed by the inclement weather. Yours respectfully,

H. A. CLARKE, Sergeant-at-Arms of the Senate.

Senator Landes moved the following, which was adopted:

Resolved, That the sergeant-at-arms be and is hereby authorized to purchase a bunting American flag for use of capitol building.

PETITIONS.

Senator Rinehart offered a petition from citizens of King county asking for the passage of a bill establishing a home for honorably discharged soldiers, sailors and marines.

Referred to the Judiciary Committee.

A similar petition by Senator Long, from citizens of Lewis county; by Senator Parkinson, from citizens of Whatcom county; by Senator Rinehart, from citizens of King county; by Senator Fairweather, from citizens of Lincoln county; and by Senator George T. Thompson, from citizens of Walla Walla county, all of which asked for the passage of a bill to establish a home for honorably discharged soldiers, sailors and marines. They were referred to the Judiciary Committee.

On motion of Senator Wolfe, the use of the Senate chamber was granted to the soldier element of both houses for a meeting to be held Tuesday evening.

Senator Payne moved that Senate bill No. 28, Relative to court commissioners, be taken from the table and placed on its final passage.

Adopted.

The bill was then read and passed by the following vote:

Yeas: Baker, Drum, Fairweather, Fariss, Forsyth, Guilfoil, Hunsaker, Jones, Landes, Lawrence, Long, Luce, Parkinson, Payne, Rinehart, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe—24.

Absent or not voting: Austin, Clough, Houghton, Hyde, Kinnear, Kneeland, Owings, Preston, Seaborg, Wood, Wooding.

The emergency clause was passed by the following vote:

Yeas: Baker, Drum, Fairweather, Fariss, Forsyth, Guilfoil, Hunsaker, Hyde, Jones, Landes, Lawrence, Long, Luce, Owings, Parkinson, Payne, Rinehart, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe—26.

Absent or not voting: Austin, Clough, Houghton, Kinnear, Kneeland, Preston, Seaborg, Wood, Wooding.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills beg leave to report that Senate bill No. 34, entitled, "An act to relieve inn-keepers from liability in certain cases, and prescribing their responsibilities therein."

Senate bill No. 41, entitled "An act to protect salmon and other food fishes, in the State of Washington, and upon all waters upon which this state has jurisdiction and concurrent jurisdiction."

Senate bill No. 81, entitled "An act concerning official bonds."

Senate bill No. 87, entitled "An act providing for the appointment of official stenographers for the superior courts of this state, and fixing their compensation and duties."

Senate bill No. 120, entitled "An act prescribing the duties and compensation of the lieutenant-governor, and declaring an emergency," have on this 10th day of February, 1890, been forwarded to his excellency, the governor, for his approval.

J. M. SNOW, Chairman,
J. HUNSAKER,
W. V. RINEHART,
Members of Committee.

MR. PRESIDENT:

Your standing Committee on Enrolled Biils have to report that Senate joint memorial No. 20 and Senate concurrent resolution No. 30 have on this 10th day of February, 1890, been forwarded to the secretary of state.

J. M. SNOW, Chairman,
J. HUNSAKER,
W. V. RINEHART,
Members of the Committee.

MR. PRESIDENT:

Your standing Committee on Engrossed Bills report that Senate bill No. 125, entitled "An act to provide for laying out, establishing, altering, changing the width of or vacating any county road, and providing for assessment, payment of damages, and providing for appeals," have been carefully compared with the original bill, and found correctly engrossed.

THOS. PAYNE, Chairman,
J. C. LAWRENCE,
Members of Committee.

To the President and Members of the Senate of the State of Washington:

Your Committee on Manufactures, to whom was referred House bill No. 189, Relating to the establishment of a uniform standard of weights and measures in this state, and to provide for a state sealer and inspector of the same, beg leave to report that they have had same under consideration, and now report it back to the Senate, and do recommend its passage.

JOHN S. BAKER, Chairman,
H. H. WOLFE,
P. A. PRESTON.

MR. PRESIDENT:

Your Committee on Labor and Labor Statistics, to whom was referred Senate bill No. 149, An act declaring eight hours to constitute a legal work day on all state, county and municipal works, have had the same under consideration, and respectfully report the same back with recommendation that it do pass.

J. H. JONES,
ALEX. WATT.

MR. PRESIDENT:

Your Committee on Labor Statistics, to whom was referred House bill No. 90, An act for the protection of builders, have had the same under consideration, and respectfully recommend that it do pass.

J. H. JONES,
ALEX. WATT.

MR. PRESIDENT:

Your Committee on State, School and Granted Lands, to whom was referred Senate bill No. 146, have had the same under consideration, and report recommending its indefinite postponement, and that the accompanying substitute therefor do pass in its stead.

W. J. PARKINSON.
B. C. VAN HOUTEN.
O. D. GUILFOIL,
J. M. SNOW,
E. T. WILSON,
L. B. CLOUGH.
Committee present.

Absent: L. F. THOMPSON.

FIRST READING OF BILLS.

House memorial No. 20 was read, and on motion of Senator Drum, laid on the table.

House concurrent resolution No. 25 was read, and on motion of Senator Van Houten, laid on the table.

House bill No. 72, An act for the establishment and government of the University of Washington, and making appropriation therefor.

Rules suspended, read first and second time by title, and referred to Committee on Education.

House bill No. 160, An act providing for the use of water for the purposes of irrigation, and providing for the condemnation of right-of-way for ditches to carry water, and declaring an emergency.

Rules suspended, read first and second times by title, and referred to the Committee on Agriculture.

House bill No. 168, An act to authorize road districts to levy special taxes for road and bridge purposes.

Rules suspended, read first and second time by title, and referred to Committee on Roads, Bridges and Fences.

By Senator Landes: Senate bill No. 172, To provide for submitting the question of the permanent location of the seat of government to a vote of the people.

Rules suspended, read first and second time by title, and referred to the Committee on Judiciary.

By Senator Baker: Senate bill No. 173, Relative to actions for libel.

Rules suspended, read first and second time by title, and referred to the Committee on Judiciary.

THIRD READING OF BILLS.

Senate bill No. 125 (engrossed), Relative to roads, was taken up and passed by the following vote:

Yeas: Baker, Drum, Fariss, Forsyth, Guilfoil, Hunsaker, Hyde, Jones, Landes, Long, Owings, Parkinson, Payne, Rinehart, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Watt, Wilson, Wolfe — 22.

Nays: Lawrence — 1.

Absent or not voting: Austin, Clough, Fairweather, Houghton, Kinnear, Kneeland, Luce, Preston, Seaborg, Whalley, Wood, Wooding.

On motion of Senator Long, the rules were suspended and Senate bill No. 126, Relative to keeping highways in repair, was taken up.

The amendments of the committee were adopted and the bill further amended.

On motion of Senator Hyde, a call of the Senate was ordered, with the following result:

Present: Drum, Fariss, Forsyth, Guilfoil, Hunsaker, Hyde, Jones, Lawrence, Long, Owings, Parkinson, Payne, Rinehart, Snow, Thompson (L. F.), Van Houten, Vestal, Whalley, Wilson, Wolfe — 20.

Absent: Austin, Baker, Clough, Fairweather, Houghton, Kinnear, Kneeland, Landes, Luce, Preston, Seaborg, Thompson (G. T.), Watt, Wood, Wooding — 15.

The sergeant-at-arms was instructed to bring in the absentees.

On motion of Senator Payne, further proceedings under the call were dispensed with.

The several sections of the bill were read and amended, the

fourth subdivision of section 6 stricken out, the subdivisions renumbered, and the title amended by adding the words "and declaring an emergency."

The bill was ordered to be engrossed.

Senator Kneeland was, on motion, granted an indefinite leave of absence.

Senator Wilson moved to adjourn.

Upon this the yeas and nays were unanimously demanded, resulting as follows:

Yeas: Drum, Guilfoil, Hyde, Lawrence, Long, Payne, Van Houten, Vestal, Watt, Wilson, Wolfe — 11.

Nays: Baker, Fariss, Forsyth, Hunsaker, Jones, Landes, Owings, Parkinson, Rinehart, Snow, Thompson (L. F.), Whalley — 12.

Absent or not voting: Austin, Clough, Fairweather, Houghton, Kinnear, Kneeland, Luce, Preston, Seaborg, Thompson (G. T.), Wood, Wooding.

Lost.

Senator Rinehart moved to adjourn until 1:30 P. M.

Senator Hyde moved to amend to adjourn to 10:30 A. M.

The chair decided the amendment lost.

Senator Wilson appealed from the decision of the chair.

On the question, Shall the chair be sustained? the yeas and nays were unanimously called for, resulting as follows:

Yeas: Baker, Fariss, Forsyth, Hunsaker, Jones, Landes, Owings, Parkinson, Rinehart, Snow, Thompson (L. F.), Whalley — 12.

Nays: Drum, Guilfoil, Hyde, Lawrence, Long, Payne, Van Houten, Vestal, Watt, Wilson, Wolfe — 11.

Absent or not voting: Austin, Clough, Fairweather, Houghton, Kinnear, Kneeland, Luce, Preston, Seaborg, Thompson (G. T.), Wood, Wooding.

So the decision of the chair was sustained.

Senator Hyde moved to amend to adjourn until 11 o'clock A. M. to-morrow.

Adopted, and the Senate, at 5:05 P. M., adjourned.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 11, 1890.
11 o'clock A. M.

Senate called to order, pursuant to adjournment; Senator Parkinson, president pro tem., in the chair.

Roll call; all present but Senators Clough, Kneeland and Seaborg, who were excused.

Journal of yesterday read and approved.

PETITIONS

A petition from citizens of King county for the establishment of a soldiers' home was presented by Senator Rinehart, and referred to the Judiciary Committee.

A petition, presented by Senator Kinnear, from citizens of King county, Relative to the Oregon Improvement Company covering a school section in the Newcastle district with debris and slack from the coal mines, was read, and referred to the Committee on Labor and Labor Statistics.

A petition, presented by Senator Jones, from citizens of Seattle and Franklin, of King county, in favor of the Australian system of balloting.

Referred to the Judiciary Committee.

A number of telegrams and petitions were presented and read from citizens of King county, asking for two additional judges for King county. They were offered by Senators Rinehart and Wood.

Referred to the Judiciary Committee.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your standing Committee on Manufactures beg leave to report that they have had under consideration House bill No. 217, entitled "An act regulating the sale of property by auctioneers in all cases where there is any doubt as to ownership," and now return the same to the Senate, and recommend its passage.

JNO. S. BAKER, Chairman,
H. H. WOLFE,
P. A. PRESTON.

MR. PRESIDENT:

Your Committee on State, School and Granted Lands, to whom was referred Senate bill No. 129, have had the same under consideration, and

report the same, with recommendation that it do pass, with the amendments attached. The bill, as amended, contains the salient features of what is known as the Clark and Van Houten bills combined.

W. J. PARKINSON,
L. F. THOMPSON,
O. D. GUILFOIL,
B. C. VAN HOUTEN,
E. T. WILSON,
L. B. CLOUGH,
J. M. SNOW,
Committee.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he was instructed by the House to inform the Senate that the House has concurred in the Senate amendments to House bill No. 106, In relation to traction engines; House bill No. 79, Plant for grain sacks at penitentiary; and House bill No. 64, Protecting stock-breeders in this state.

The House has passed the following:

House bill No. 228, a substitute for House bill No. 89, A bill for an act providing for the better security of life and limb in cases of fire in hotels, manufactories and other buildings, and declaring an emergency.

Has also passed the emergency clause.

House bill No. 229, a substitute for House bills Nos. 187 and 188, A bill for an act to declare and regulate the powers, rights and duties of corporations, companies or individuals organized to build booms and to catch logs and other timber products therein.

House bill No. 103; An act regulating the operation of telephone lines or system of lines in the state, etc.

House bill No. 212, a substitute for House bill No. 174, A bill for an act granting to railroad corporations, individuals or co-partnerships a right-of-way through school lands of the state, but failed to pass the emergency clause.

House bill No. 222, a substitute for Senate bill No. 67, An act to authorize corporations owning leases or operating lines of railway within this state to take, acquire, own, negotiate, sell and guarantee stocks and bonds of companies organized for the purpose of irrigating and reclaiming arid lands, and the same are transmitted to the Senate for action thereon.

Senator Owings, in accordance with notice given on Saturday,

moved to re-consider House bill No. 78, Relative to a code commissioner.

The president decided that the motion was in order.

Senator Fairweather in the chair.

Senator Hyde moved the previous question, which was seconded by Senators Whalley, Luce and Van Houten.

Senator Drum appealed from the decision of the chair — that he had the floor before the motion of Senator Hyde was properly seconded.

The chair ruled the appeal out of order.

On the previous question the yeas and nays were unanimously called, resulting as follows:

Yeas: Baker, Fairweather, Fariss, Guilfoil, Houghton, Hyde, Jones, Kinnear, Landes, Luce, Preston, Rinehart, Snow, Van Houten, Vestal, Watt, Whalley — 17.

Nays: Austin, Drum, Forsyth, Hunsaker, Lawrence, Long, Owings, Parkinson, Payne, Thompson (G. T.), Wilson, Wolfe, Wood — 13.

Absent or not voting: Clough, Kneeland, Seaborg, Thompson (L. F.), Wooding.

Adopted.

On the motion to reconsider the bill the yeas and nays were unanimously called for, and failed by the following vote:

Yeas: Drum, Forsyth, Hunsaker, Lawrence, Long, Owings, Payne, Thompson (G. T.), Van Houten, Vestal, Wolfe — 11.

Nays: Austin, Baker, Fairweather, Fariss, Guilfoil, Houghton, Hyde, Jones, Kinnear, Landes, Luce, Parkinson, Preston, Rinehart, Snow, Watt, Whalley, Wilson, Wood — 19.

Absent or not voting: Clough, Kneeland, Seaborg, Thompson (L. F.), Wooding.

Senator Van Houten was excused for the rest of the day.

Senator Hyde, at 1:10, moved to take a recess until 2 o'clock P. M.

Adopted.

AFTER RECESS.

The Senate was called to order at 2 P. M.; Senator Parkinson in the chair.

SPECIAL ORDER.

House bill No. 208 was taken up, providing for an additional number of superior courts, and declaring an emergency to exist.

The amendments to the bill reported by the committee were adopted.

Senator Baker moved to strike out "one superior judge" before the words "in the County of Pierce," and insert "two superior judges."

Adopted.

He also moved to amend, to strike out of section 4, after the word Pierce "one superior judge," and insert "two superior judges."

Adopted.

The bill was read a third time and passed by the following vote:

Yeas: Austin, Baker, Drum, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Jones, Kinnear, Landes, Luce, Parkinson, Payne, Rinehart, Snow, Thompson (G. T.), Thompson (L. F.), Vestal, Whalley, Wilson, Wood—22.

Nays: Fariss, Long, Owings, Preston, Watt —5.

Absent or not voting: Clough, Fairweather, Kneeland, Lawrence, Seaborg, Van Houten, Wolfe, Wooding.

The emergency clause was passed by the following vote:

Yeas: Austin, Baker, Drum, Fairweather, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Jones, Kinnear, Landes, Luce, Parkinson, Payne, Preston, Rinehart, Snow, Thompson (G. T.), Thompson (L. F.), Vestal, Watt, Whalley, Wilson, Wolfe, Wood —27.

Nays: Long, Owings.

Absent or not voting: Clough, Kneeland, Lawrence, Seaborg, Van Houten, Wooding.

REPORT OF COMMITTEE.

MR. PRESIDENT:

Your standing Committee on Engrossed Bills beg leave to report that Senate bill No. 126, entitled "An act to provide for keeping highways in repair, and for the levy and collection of road and poll taxes, and declaring an emergency," has been carefully compared with the original bill, and found correctly engrossed.

THOS. PAYNE, Chairman,
J. C. LAWRENCE.

On motion of Senator Wilson, the rules were suspended, and Senate bill No. 126 was put on its final passage.

The bill was passed by the following vote:

Yeas: Austin, Baker, Drum, Fairweather, Fariss, Guilfoil, Houghton, Hunsaker, Hyde, Jones, Kinnear, Landes, Luce, Park-

inson, Payne, Preston, Rinehart, Snow, Thompson (G. T.), Thompson (L. F.), Watt, Whalley, Wilson, Wood — 24.

Nays: Forsyth, Long, Owings, Vestal, Wolfe — 5.

Absent or not voting: Clough, Kneeland, Lawrence, Seaborg, Van Houten, Wooding.

The emergency clause was passed by the following vote:

Yeas: Austin, Baker, Drum, Fairweather, Fariss, Guilfoil, Houghton, Hunsaker, Hyde, Jones, Kinnear, Landes, Luce, Parkinson, Payne, Preston, Rinehart, Snow, Thompson (G. T.), Thompson (L. F.), Watt, Whalley, Wilson, Wood — 24.

Nays: Forsyth, Long, Owings, Vestal, Wolfe — 5.

Absent or not voting: Clough, Kneeland, Lawrence, Seaborg, Van Houten, Wooding.

Senator Houghton offered, by consent, Senate concurrent resolution No. 36, Appointing a joint committee, of three from Senate and two from House, a committee on apportionment.

Senator Wilson moved to amend, to appoint the two committees of the Senate and House respectively, on Privileges and Election, as said committee.

Amendment adopted by a divisional vote of 14 yeas, 11 nays, and the resolution as amended adopted.

On motion of Senator Wilson, Senate bill No. 129 was taken up. The committee amendments were adopted and the bill was ordered to be printed.

REPORT OF COMMITTEE.

MR. PRESIDENT:

Your Committee on Revenue and Taxation, to whom was referred Senate bill No. 132, and Senate bill No. 51, Acts relating to the appointment of code commissioner, respectfully report the same back with the recommendation that they be indefinitely postponed, the subject matter of said bills having been disposed of in House bill No. 78.

H. W. FAIRWEATHER, Chairman.

The report of the committee was adopted.

House bill No. 228, substitute for House bill No. 89, A bill for an act providing for the better security of life and limb in cases of fire in hotels, manufactories and other buildings, and declaring an emergency.

Rules suspended, read first and second times by title, and referred to Committee on Manufactures.

House bill No. 229, a substitute for House bills Nos. 187 and 188, A bill for an act to declare and regulate the powers, rights

and duties of corporations, companies or individuals organized to build booms and to catch logs and other timber products therein.

Rules suspended, read first and second time by title, and referred to the Committee on Commerce.

House bill No. 103, An act regulating the operation of telephone lines, or system of lines in the state, etc.

Rules suspended, read first and second time by title, and referred to the Committee on Corporations.

House bill No. 212, substitute for House bill No. 174, An act granting to railroad corporations, individuals or co-partnerships a right-of-way through school lands of the state.

Rules suspended, read first and second time by title, and referred to the Committee on Corporations.

House bill No. 222, a substitute for Senate bill No. 67, An act to authorize corporations owning, leasing or operating lines of railway within this state to take, acquire, own, negotiate, sell and guarantee stocks and bonds of companies organized for the purpose of irrigating and reclaiming arid lands, etc.

Rules suspended, read first and second time by title, and referred to the Committee on Corporations.

By Senator Vestal (by request): Senate bill No. 174, To provide for the organization, general powers, management, control and liquidation of banking associations, etc.

Rules suspended, read first and second time by title, and referred to the Committee on Revenue and Taxation.

The chief clerk of the House appeared and announced that he had been instructed by the House to inform the Senate that the House has re-considered its action in refusing to pass the emergency clause to House bill No. 212, and asks leave to withdraw the bill for the purpose of making the proper endorsement thereon.

On motion of Senator Houghton, the bill was withdrawn from Committee on Corporations, and sent back to the House.

MESSAGE FROM THE GOVERNOR.

The following was read:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, WASHINGTON, February 11, 1890.

To the Honorable President of the Senate:

I have this day signed and approved:

Senate bill No. 34, entitled "An act to relieve inn-keepers from liability in certain cases, and prescribing their responsibilities therein."

Senate bill No. 41, entitled "An act to protect salmon, and other food fishes, in the State of Washington, and upon all waters upon which this state has jurisdiction, and concurrent jurisdiction."

ELISHA P. FERRY.

Senate bill No. 64, Relating to fire escapes, was taken up and passed by the following vote:

Yeas: Austin, Baker, Drum, Fairweather, Fariss, Guilfoil, Houghton, Humsaker, Hyde, Jones, Kinnear, Lawrence, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Snow, Vestal, Watt, Whalley, Wolfe, Wood—24.

Absent or not voting: Clough, Forsyth, Kneeland, Landes, Long, Seaborg, Thompson (G. T.), Thompson (L. F.), Van Houten, Wilson, Wooding.

On motion of Senator Jones, the Senate, at 4:50 P. M., adjourned until 1 P. M. to-morrow.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 12, 1890.
1 o'clock P. M.

Senate called to order, pursuant to adjournment, by the secretary.

Senator Kinnear was called to the chair.

Roll called; all present except Senators Kneeland, Payne, Van Houten, all of whom were excused.

Senator Parkinson in the chair.

Senator Guilfoil was excused from attendance.

Senator Van Houten was excused until Monday.

MESSAGE FROM THE HOUSE.

The clerk of the House appeared and announced that he was instructed by the House to inform the Senate that the House had refused to pass Senate bill No. 65, An act relating to suits against the state.

Has passed Senate bill No. 49, An act to provide for the determination of conflicting claims to property, etc.

Has passed Senate bill No. 86, Relating to the filing of transcripts of judgment in district or circuit courts, etc.

Also, House bill No. 250, Authorizing the hauling of timber across railroads, and has passed the emergency clause.

Also, House bill No. 223, An act to regulate and fix the tare on hops, the weight of hop baling and a standard weight of hop bales.

The House has passed House bill No. 227, To provide for the regulation of the charges for water for irrigation purposes by corporations.

Also House bill No. 249, An act for the relief of W. H. Doolittle, A. E. Isham and H. J. Snively.

The House has amended Senate bill No. 71, by inserting the word "unlawful" between the words "riots" and "strike," in subdivision 12 of section 1, wherever the words occur; has further amended said bill by striking out section 5, and has amended the title by striking out the words "and making an appropriation therefor," and insert instead "and fixing the salary," and then passed the bill.

The House has passed Senate bill No. 80, An act to amend an act entitled "An act to amend section 2752 of the Code of Washington Territory, relating to assessors."

The speaker has signed House bill No. 106, An act defining the duties of persons running traction engines.

Also House bill No. 64, An act to protect stock breeders in this state, both of which have passed both houses, been reported correctly enrolled, and the same are herewith transmitted to the Senate for the signature of the president.

By Senator Landes: Senate joint resolution No. 37, Removing the records of the Indian war of 1855-56, and the war of the rebellion, from the office of the secretary of state to the office of the adjutant-general.

Read and adopted.

A petition was offered by Senator Wilson from people of Kittitas county, relative to irrigation district bills, and urging their passage.

Referred to Committee on Agriculture.

President in the chair.

Senator Drum presented a letter, as follows:

TACOMA, WASH., February 11, 1890.

Hon. Henry Drum, Olympia:

DEAR SIR—In the matter of House resolution No. 25, relative to the appointment of a committee to confer with reporters of the constitutional convention in regard to transcript of their notes of the debates.

By the reports of the proceedings yesterday upon said matter in the Senate, I judge that there is some misapprehension on the part of some of the

senators. Mr. Bowman and myself were the reporters of the convention under a proposition made by us and accepted by the convention, the same binding us to present our claim for compensation to the *first legislature* of the state. All that we care about at this time is to have a committee appointed to lay the matter before the legislature with a view of getting paid for taking said debates, upon filing our notes with, say, the secretary of state, either in the original or transcribed, as the legislature may see fit to arrange for at this time. We must make *this legislature* some proposition in order to protect whatever rights we may have, and all we desire is an opportunity to do this. All that we desire is a committee appointed, before which we can lay the whole matter, and then the legislature can accept or reject our proposition as it sees fit, and we are satisfied.

I do not think, myself, that it would be advisable to publish these debates at this time, and that was not our intention in having this resolution introduced; but it is necessary, as I have before explained, that we should have an opportunity of submitting the matter, and protect ourselves.

I wish, therefore, that you would try and have the resolution (which I understand has been laid on the table) passed and the committee appointed. If the situation was understood by the senators, I do not think there would be any opposition to its passage.

Very respectfully yours,

C. B. EATON.

Senator Wilson moved to take from the table House concurrent resolution No. 25.

Adopted.

Senator Kinnear moved to amend as follows:

Add to resolution "and that such committee make a full report as to what course shall be taken in the case."

Adopted, and the resolution as amended was adopted.

The president appointed Senators Snow, Fariss and Guilfoil as said committee on the part of the Senate.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your standing Committee on Claims, having considered Senate bill No. 162, An act for the relief of Miles C. Moore, would respectfully report the same back with the recommendation that it do pass.

W. V. RINEHART, Chairman.
J. HUNSAKER.
SAMUEL VESTAL.

MR. PRESIDENT:

Your committee, to whom was referred Senate bill No. 167, An act for he relief of John Sullivan, the Washington Standard and John Miller

Murphy, beg leave to report that we have had the same under consideration, and report the same back with recommendation that it do pass.

W. V. RINEHART,
J. HUNSAKER,
S. VESTAL,
Committee on Claims.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred petitions asking the passage of Senate bill No. 143, entitled "An act to provide for the establishment and maintenance of a home for honorably discharged Union soldiers, sailors, marines, and also members of the state militia disabled while in the line of duty, and who are bona fide citizens of this state, respectfully report said petitions back, and recommend that they be placed on file with the said bill.

Respectfully submitted,
J. R. KINNEAR, Chairman.

Report concurred in by Senators Whalley, Houghton, Wood and Baker, said members being all of said committee present.

The report of the committee was adopted.

MR. PRESIDENT:

Your Committee on Judiciary beg leave to report that they have prepared a bill, entitled "An act to amend section 536 of chapter 46 of the Code of Washington, relating to 'Actions to recover and affecting real estate,'" which bill they now respectfully submit to the Senate, with the recommendation that the bill pass.

Respectfully submitted, J. R. KINNEAR, Chairman.

Report concurred in by Senators Whalley, Wood, Houghton and Baker, being all the members of said committee present.

On motion of Senator Kinnear, Senate bill No. 175 was, under a suspension of rules, read first and second time by title, and placed on the general file.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 160, entitled "An act to regulate the practice of architecture in the State of Washington," have had the same under consideration, and now respectfully report the same back to the Senate, with the recommendation that the said bill be indefinitely postponed.

Respectfully submitted, J. R. KINNEAR, Chairman.

Report concurred in by Senators Houghton, Wood and Whalley, the said members being all of said committee present.

Report adopted.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 82, entitled "An act providing for the release of sureties on official bonds

and undertakings," have had the same under consideration, and now respectfully report the same back to the Senate, with the following amendments, and, as amended, recommend the passage of the bill.

Amendment 1: Section 2, line 15, before the word "clerk" insert the word "county."

Amendment 2: Section 2, lines 15 and 16, strike out the words "of the board of county commissioners."

Amendment 3: Section 2, line 17, after the word "auditor" insert the words "or treasurer."

Respectfully submitted, J. R. KINNEAR, Chairman.

Report concurred in by Senators Whalley, Wood and Houghton, being all the members of said committee present.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 171, entitled "An act concerning conveyances," have had the same under consideration, and now respectfully report the same back to the Senate with the recommendation that the same be indefinitely postponed.

Respectfully submitted,

J. R. KINNEAR, Chairman.

Report concurred in by Senators Wood, Houghton, Whalley and Baker, being all of said committee present.

On motion of Senator Drum the bill and report was laid on the table.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 168, entitled "An act to appoint a commission to compile, re-arrange and annotate the laws of Washington, and for payment therefor," have had the same under consideration, and now respectfully report the same back to the Senate with the recommendation that the bill be indefinitely postponed. Respectfully submitted,

J. R. KINNEAR, Chairman.

Report concurred in by Senators Houghton, Wood, Whalley and Baker, being all of the said committee present.

Report adopted.

By Senator Snow: Senate bill No. 177, An act to amend chapter CXXIV of the general laws of Washington, entitled "An act prescribing rules and regulations for the execution of the trust arising under the act of congress, entitled 'An act for the relief of the inhabitants of cities and towns upon the public lands,' approved March 1, 1867," approved January 31, 1888.

Rules suspended, read first and second time by title, and referred to the Committee on Judiciary.

By the Tide Lands Committee: Senate bill No. 178, An act

for the appraising and disposing of the tide and shore lands belonging to the State of Washington, and declaring an emergency.

Rules suspended, read first and second time by title, and placed on general file.

By Senator Baker: Senate bill No. 179, An act limiting the time within which an action may be brought for the recovery of real estate sold by executors, administrators or guardians, and determining when such sales shall be invalidated.

Rules suspended, read first and second time by title, and referred to the Judiciary Committee.

By Senator Baker: Senate bill No. 180, An act construing and validating deeds of donation land claims.

Rules suspended, read first and second time by title, and referred to the Judiciary Committee.

By Senator Baker: Senate bill No. 181, An act in relation to crier and bailiffs of the supreme court, defining their duties and fixing their compensation.

Rules suspended, read first and second time by title, and referred to Judiciary Committee.

By Senator Preston: Senate bill No. 182, An act prescribing the fees of county auditors for recording deeds and mortgages, and declaring an emergency.

Rules suspended, read first and second times by title, and referred to the Committee on Salaries and Mileage.

By Senator Forsyth: Senate bill No. 183, An act to amend the law of the Territory of Washington, approved November 28, 1883, entitled "An act in relation to sawlogs and other timber, and declaring an emergency.

Rules suspended, read first and second times by title, and referred to the Committee on Commerce.

COMMITTEE REPORTS.

The following reports were offered by consent out of order:

MR. PRESIDENT:

After careful consideration of House bill No. 158, Requiring railroads in this state to be fenced, beg leave to report the same back with the following amendments, and recommend that it do pass:

Strike out "cattle guards" after the word "established," and insert same after word "sufficient" in eighth line of section 3, printed bill.

After word "record" in sixteenth line of section 3, insert: "*Provided,*

One-half of the damages so recovered in any such suit shall be for the benefit of the school fund, and one-half for the plaintiff in such suit."

Strike out section 4.

N. H. OWINGS,
H. E. HOUGHTON,
F. H. LUCE,
W. J. PARKINSON,
C. G. AUSTIN.

To the President of the Senate:

We, your Committee on Education, to whom was referred House bill No. 90, having had the same under consideration, beg to report the same back without recommendation.

J. C. LAWRENCE, Chairman,
HENRY DRUM.

MR. PRESIDENT:

Your Committee on Corporations other than Municipal, after careful consideration of Senate bill No. 138, Prescribing the qualifications of locomotive engineers, beg to report the same back, and unanimously recommend that it do pass.

N. H. OWINGS,
H. E. HOUGHTON,
F. H. LUCE,
W. J. PARKINSON,
C. G. AUSTIN.

On motion of Senator Austin, Senate bill No. 38, To allow school districts to borrow money, was taken up.

Senator Luce in the chair.

The following amendments were made:

By Senator Hyde: After "purposes" in line 4, section 1, printed bill, add: "*Provided*, In school districts containing a population of 10,000 or more, the limit of indebtedness shall not exceed 2½ per cent."

By Senator Drum: Add "and place" after "time" in next to last line of section 1.

By Senator Lawrence: Add the words "if there be one" after "county seat," in section 3.

By Senator Drum: After the word "due" in third line, original bill, add "and at such place as designated in such coupon;" strike out "proper coupon," and insert the word "same."

By Senator Lawrence: Add after section 8: "*Provided*, That in cities of ten thousand population or more, whenever any bonds issued under the provisions of this act shall reach maturity and shall remain unpaid, the board of directors thereof shall have the power to fund the same by issuing coupon bonds conformable to the requirements of this act, and exchanging the same par for par for the

outstanding bonds as aforesaid, without any further vote of the school district: *Provided further*, That such bonds shall be issued in denominations of not less than one hundred dollars, nor more than one thousand dollars; shall be redeemable within 20 years from date of issue, and shall draw a rate of interest not to exceed 6 per centum per annum."

The bill was ordered to be engrossed.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared, and announced that he had been instructed by the House to inform the Senate that the House has concurred in the Senate amendments to House bill No. 208, Creating additional superior court judges, except as to that amendment in relation to judges for Pierce county.

Senator Guilfoil moved to adjourn.

Lost.

On motion of Senator Preston, House bill No. 98 was taken up.

On motion of Senator Thompson, the Senate went into committee of the whole.

Senator Lawrence was excused for the day.

Senator Wolfe in the chair.

The committee arose, reported the bill to the Senate, which was read a third time, and passed by the following vote:

Yeas: Austin, Baker, Drum, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Jones, Kinnear, Landes, Long, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Thompson (L. F.), Vestal, Watt, Wolfe, Wood, Wooding — 26.

Absent or not voting: Clough, Fairweather, Fariss, Kneeland, Lawrence, Payne, Van Houten, Whalley, Wilson.

Senator Parkinson in the chair.

House bill No. 131, Relative to the appointment of special deputies, etc., was taken up.

On motion of Senator Wood, section 4 was stricken out.

The bill was read a third time and passed by the following vote:

Yeas: Austin, Clough, Drum, Forsyth, Guilfoil, Hunsaker, Jones, Kinnear, Parkinson, Preston, Rinehart, Seaborg, Thompson (G. T.), Thompson (L. F.), Vestal, Watt, Wolfe, Wood, Wooding — 19.

Nays: Baker, Hyde, Long, Luce, Owings, Snow — 6.

Absent or not voting: Fairweather, Fariss, Houghton, Kneeland, Landes, Lawrence, Payne, Van Houten, Whalley, Wilson.

Senator Preston gave notice of a motion to reconsider.

Senator Houghton was excused for the rest of the day.

House bill No. 99, To locate the state fair, was taken up and the report of the Committee on Corporations to indefinitely postpone was adopted by a divisional vote. Yeas 16, nays 6.

Senate bill No. 106 was taken up, concerning mines. President in the chair.

The bill was read a third time and passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Forsyth, Guilfoil, Hunsaker, Hyde, Jones, Kinnear, Long, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Thompson (L. F.), Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding — 27.

Nays: Thompson (G. T.)— 1.

Absent or not voting: Fariss, Houghton, Kneeland, Landes, Lawrence, Payne, Van Houten.

The emergency clause was passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Forsyth, Guilfoil, Hunsaker, Hyde, Jones, Kinnear, Landes, Long, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Thompson (L. F.), Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding — 29.

Absent or not voting: Fariss, Houghton, Kneeland, Lawrence, Payne, Van Houten.

The bill was laid on the table temporarily on motion of Senator Owings.

The president announced that he was about to sign House bill No. 64 and House bill No. 106, which was done.

Senate bill No. 107, Relating to crimes and punishments.

On motion of Senator Thompson, the word "misdemeanor," wherever it occurred in the bill, was stricken out and the word "felony" substituted.

In section 4 "penitentiary" was substituted for "county jail," and "one year" for "twenty-five," and "years" for "hundred days."

On motion of Senator Kinnear, the words "by reason of there being no provisions of law on the subject," were substituted after the word "law" in section 4.

The bill was read a third time, and passed as follows:

Yeas: Austin, Baker, Clough, Drum, Forsyth, Guilfoil, Hun-

saker, Hyde, Jones, Kinnear, Landes, Long, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding—27.

Absent or not voting: Fairweather, Fariss, Houghton, Kneeland, Lawrence, Payne, Thompson (L. F.), Van Houten.

The emergency clause passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Guilfoil, Hunsaker, Hyde, Jones, Kinnear, Landes, Long, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding—26.

Absent or not voting: Fairweather, Fariss, Forsyth, Houghton, Kneeland, Lawrence, Payne, Thompson (L. F.), Van Houten.

On motion of Senator Wilson, the Senate, at 5:05 P. M., adjourned.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 13, 1890.
10 o'clock A. M.

Senate called to order pursuant to adjournment; the president in the chair.

Roll call; all present except Senators Kneeland, Landes, Payne, Van Houten and Vestal, all of whom were excused.

Senator Vestal was indefinitely excused.

Senator Drum offered a petition from citizens of Tacoma and others, asking for the appointment of police matrons in large cities.

Referred to Committee on Public Morals.

Senator Snow offered the following, which was adopted:

WHEREAS, The necessity for expedition in the transaction of the business of this legislature is daily becoming more urgent; therefore,

Be it Resolved by the Senate of the State of Washington, That no member shall occupy more than five minutes in speaking upon any question, without the consent of a majority of the members of the Senate.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your Committee on Agriculture, to whom was referred House bill No. 33, entitled "An act in relation to registering marks and brands on all

stock shipped from the state by railroads," have had the same under consideration and beg leave to report it back to the Senate with the recommendation that it be referred to the Committee on Corporations.

They have also had under consideration Senate bill No. 154, An act to prevent fraud in the sale of fruit trees, and recommend that it be indefinitely postponed.

Also, House bill No. 117, An act to repeal chapter 70 of the laws enacted by the legislature relating to licensing of animals, etc., and beg leave to recommend it favorably.

Also, House bill No. 159, a substitute for House bill No. 73, Relative to the spread of thistles, etc., and recommend that it be indefinitely postponed.

Also, House bill No. 46, An act to amend section 2 of the laws relative to the construction and maintenance of dykes and dams, and beg leave to recommend it favorably.

L. F. THOMPSON, Chairman,
J. H. LONG.

House bill No. 33 was referred to the Committee on Corporations.

Senate bill No. 154 was indefinitely postponed.

House bill No. 159 was indefinitely postponed by a divisional vote; yeas 14, nays 8.

COMMITTEE REPORT.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, have had Senate bill No. 115 under consideration, and return same herewith, with recommendation that it pass, as amended.

S. VESTAL, Chairman,
W. V. RINEHART,
ALEX. WATT.

FIRST READING OF BILLS.

House bill No. 208 was read, and the secretary instructed, on motion of Senator Kinnear, to report the same back to the House for a proper history of the bill on its face.

Senate bill No. 49 was referred to the Enrolling Committee.

Senate bill No. 86: The amendment to the bill made by the House was concurred in by the following vote:

Yeas: Austin, Clough, Drum, Fairweather, Forsyth, Guilfoil, Hunsaker, Hyde, Jones, Kinnear, Lawrence, Long, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Whalley, Wilson, Wolfe, Wood, Wooding — 25.

Absent or not voting: Baker, Fariss, Houghton, Kneeland, Landes, Payne, Thompson (L. F.), Van Houten, Vestal, Watt.

The bill was sent to the Enrolling Committee.

House bill No. 250: Rules suspended, read first and second time by title, and referred to Committee on Corporations.

House bill No. 223: Rules suspended, read first and second time by title, and referred to the Committee on Agriculture.

House bill No. 227: Rules suspended, read first and second time by title, and referred to the Committee on Internal Improvements.

House bill No. 249: Rules suspended, read first and second time by title, and referred to the committee of the whole.

Senate bill No. 71, Relative to the duties of the governor, was read.

The amendments of the House were non-concurred in.

The first amendment was non-concurred in by the following vote:

Yeas: Austin, Forsyth, Guilfoil, Hunsaker, Jones, Kinnear, Rinehart, Seaborg, Thompson (G. T.), Watt, Wolfe — 11.

Nays: Clough, Drum, Fairweather, Houghton, Hyde, Lawrence, Luce, Owings, Parkinson, Snow, Whalley, Wilson, Wood, Wooding — 14.

Absent or not voting: Baker, Fariss, Kneeland, Landes, Long, Payne, Preston, Thompson (L. F.), Van Houten, Vestal.

The second amendment was non-concurred in by the following vote:

Nays: Austin, Clough, Fairweather, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Jones, Kinnear, Lawrence, Luce, Owings, Parkinson, Rinehart, Seaborg, Snow, Thompson (G. T.), Watt, Whalley, Wilson, Wolfe, Wood, Wooding — 24.

Absent or not voting: Baker, Drum, Fariss, Kneeland, Landes, Long, Payne, Preston, Thompson (L. F.), Van Houten, Vestal.

The third amendment of the House (to amend the title) was non-concurred in unanimously.

Senate bill No. 80 was sent to the Enrolling Committee.

THIRD READING OF BILLS.

Senate bill No. 98, An act to provide for the formation of certain corporations.

Senator Kinnear in the chair.

The amendments recommended by the committee were adopted.

On motion of Senator Hunsaker the bill was considered engrossed and passed by the following vote:

Yeas: Austin, Clough, Drum, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Jones, Kinnear, Lawrence, Long, Luce,

Owings, Rinehart, Seaborg, Snow, Thompson (L. F.), Watt, Whalley, Wilson, Wolfe, Wood, Wooding—25.

Absent or not voting: Baker, Fairweather, Kneeland, Landes, Parkinson, Payne, Preston, Thompson (G. T.), Van Houten, Vestal.

MESSAGE FROM THE HOUSE.

The chief clerk appeared and announced that he had been instructed by the House to inform the Senate that the House had passed Senate bill No. 119, with amendments, and has also passed the emergency clause.

Has indefinitely postponed Senate bill No. 157, In relation to predatory birds.

Has passed Senate memorial No. 25, In relation to duties on lead ores.

Has concurred in Senate concurrent resolution, No. 33, instructing the Judiciary Committee.

Has passed Senate bill 79, Empowering cities and towns to extend their credit, etc., and has passed the emergency clause.

Has passed House bill No. 211, An act relating to transcripts of judgments of justices' courts, but refused to pass the emergency clause.

Has passed the emergency clause to House bill No. 212, heretofore sent to the Senate.

House bill No. 162, An act in relation to the insane of the State of Washington, making an appropriation for the maintenance thereof, and declaring an emergency.

Senate bill No. 96, relative to the better preservation of mining records, etc.

The amendments recommended by the committee were adopted.

On motion of Senator Drum, the words "county recorder" were stricken out, and "county auditor" inserted wherever it occurred in the bill.

On motion of Senator Drum, the bill was considered engrossed. It was read a third time and passed by the following vote.

Yeas: Austin, Clough, Drum, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Jones, Kinnear, Lawrence, Long, Luce, Owings, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Thompson (L. F.), Watt, Whalley, Wilson, Wolfe, Wood, Wooding—27.

Absent or not voting: Baker, Fairweather, Kneeland, Landes, Parkinson, Payne, Van Houten, Vestal.

Senate bill No. 97: To protect the rights of owners of stock, shares and other interests in the mineral and metal yielding mines of this state.

The amendment recommended by the committee was adopted.

On motion of Senator Luce, the bill was considered engrossed.

It was read a third time, and passed by the following vote:

Yeas: Austin, Clough, Drum, Fariss, Forsyth, Guilfoil, Hunsaker, Hyde, Jones, Kinnear, Lawrence, Long, Luce, Owings, Preston, Rinehart, Seaborg, Snow, Thompson (L. F.), Whalley, Wilson, Wolfe, Wood, Wooding—24.

Absent or not voting: Baker, Fairweather, Houghton, Kneeland, Landes, Parkinson, Payne, Thompson (G. T.), Van Houten, Vestal, Watt.

Senate bill No. 106, An act concerning mines and declaring an emergency, laid on the table temporarily yesterday, was on motion of Senator Owings taken up and referred to the House.

House bill No. 146, To create a Mining Bureau, was on motion of Senator Drum taken up, the amendments recommended by the committee were adopted.

On motion of Senator Drum, the following was added to section 5: "*Provided*, The expense for providing said room shall not exceed $250 per annum."

On motion of Senator Owings, the following was offered:

Add to section 6: "*Provided*, That not more than $500 shall be expended under the provisions of this act."

Senator Houghton moved to make it $1,000.

Senator Wood moved to make it $1,500.

The latter was adopted by a divisional vote: Yeas 17, nays not counted.

The bill was read the third time, and passed by the following vote:

Yeas: Austin, Clough, Drum, Fairweather, Fariss, Guilfoil, Houghton, Hunsaker, Hyde, Jones, Kinnear, Lawrence, Luce, Parkinson, Preston, Rinehart, Seaborg, Snow, Thompson (L. F.), Watt, Wilson, Wood, Wooding—23.

Nays: Forsyth, Long, Owings, Whalley, Wolfe—5.

Absent or not voting: Baker, Kneeland, Landes, Payne, Thompson (G. T.), Van Houten, Vestal.

The emergency clause was passed by the following vote:

Yeas: Austin, Clough, Drum, Fairweather, Fariss, Guilfoil, Houghton, Hunsaker, Hyde, Jones, Kinnear, Lawrence, Luce, Parkinson, Preston, Rinehart, Seaborg, Snow, Thompson (L. F.), Watt, Whalley, Wilson, Wood, Wooding—24.

Nays: Forsyth, Wolfe—2.

Absent or not voting: Baker, Kneeland, Landes, Long, Owings, Payne, Thompson (G. T.), Van Houten, Vestal.

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, February 13, 1890.

To the Honorable President of the Senate:

I have this day signed and approved Senate bill No. 81, entitled "An act concerning official bonds."

ELISHA P. FERRY.

Senator Landes was, on motion of Senator Fairweather, indefinitely excused.

On motion of Senator Hyde, the Senate, at 12:30, took a recess until 2 P. M.

AFTER RECESS—2 P. M.

President in the chair.

All the Senators responded to roll call except Senators Baker, Kneeland, Guilfoil, Landes, Payne, Thompson (G. T.), Van Houten and Vestal.

Senator G. T. Thompson was excused for the day, on motion of Senator Houghton.

Senator Guilfoil was excused for the rest of the week.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your standing Committee on Engrossed Bills begs leave to report that Senate bill No. 38, substitute for original Senate bill No. 38, entitled "A bill for an act allowing school districts to borrow money and issue bonds for the building and furnishing of school houses; to permit the funding of school district bonds heretofore or hereafter to be issued, legalizing the same, and declaring an emergency," has been carefully compared with the original bill and found correctly engrossed.

J. C. LAWRENCE.

Other members of the committee absent.

The bill was passed by the following vote:

Yeas: Austin, Clough, Drum, Fairweather, Forsyth, Houghton,

Hunsaker, Hyde, Kinnear, Lawrence, Long, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Watt, Whalley, Wilson, Wolfe, Wood, Wooding — 24.

Absent or not voting: Baker, Fariss, Guilfoil, Jones, Kneeland, Landes, Payne, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal.

The emergency clause was passed by the following vote:

Yeas: Austin, Clough, Drum, Fairweather, Forsyth, Houghton, Hunsaker, Hyde, Kinnear, Lawrence, Long, Luce, Owings, Preston, Rinehart, Seaborg, Snow, Thompson (L. F.), Watt, Whalley, Wilson, Wolfe, Wood, Wooding — 24.

Absent or not voting: Baker, Fariss, Guilfoil, Jones, Kneeland, Landes, Parkinson, Payne, Thompson (G. T.), Van Houten, Vestal.

INTRODUCTION OF BILLS.

By Senator Austin: Senate bill No. 184, An act granting to the United States for public purposes the use of certain tide lands belonging to the State of Washington.

Rules suspended, read first and second time by title, ordered printed, and placed on file.

By Senator Hyde: Senate bill No. 185, An act to provide for extending and enlarging the corporate limits of any city, town or village in this state, and for consolidating and uniting cities, towns or villages, and declaring an emergency.

Rules suspended, read first and second time by title, and referred to the committee of the whole, and the Senate went into committee of the whole, Senator Lawrence in the chair, and considered the bill.

The committee arose, and reported the bill back to the House, and asked leave to sit again.

Agreed to by a divisional vote; yeas 9, nays 7.

Senator Lawrence in the chair.

COMMITTEE REPORTS.

To the President:

Your Committee on Corporations other than Municipal, to whom was referred Senate bill No. 165, respectfully report the same back, with amendments, and recommend the passage of the bill, as amended.

N. H. OWINGS,
C. G. AUSTIN,
F. H. LUCE,
W. J. PARKINSON,
H. E. HOUGHTON.

To the President of the Senate:

Your standing Committee on Public Buildings and Grounds has had under consideration Senate bill No. 105, Authorizing the board of commissioners for the Hospital for the Insane at Medical Lake in Eastern Washington to execute and deliver to E. L. Smith a deed to a certain tract or parcel of land in exchange for other land, and declaring an emergency, would recommend its passage, without amendments.

A. T. FARISS, Chairman,
H. H. WOLFE.

President in the chair.

On motion of Senator Hyde, Senate bill No. 105 was taken up, read a third time and passed by the following vote:

Yeas: Austin, Drum, Fairweather, Fariss, Forsyth, Houghton, Hunsaker, Hyde, Jones, Kinnear, Lawrence, Long, Luce, Owings, Preston, Rinehart, Seaborg, Snow, Thompson (L. F.), Watt, Whalley, Wilson, Wolfe, Wood, Wooding—25.

Absent or not voting: Baker, Clough, Guilfoil, Kneeland, Landes, Parkinson, Payne, Thompson (G. T.), Van Houten, Vestal.

The emergency clause was passed by the following vote:

Yeas: Austin, Drum, Fairweather, Fariss, Forsyth, Houghton, Hunsaker, Hyde, Jones, Kinnear, Lawrence, Long, Luce, Owings, Preston, Rinehart, Seaborg, Snow, Thompson (L. F.), Watt, Whalley, Wilson, Wolfe, Wood, Wooding—25.

Absent or not voting: Baker, Clough, Guilfoil, Kneeland, Landes, Parkinson, Payne, Thompson (G. T.), Van Houten, Vestal.

A petition was presented by the presiding officer from citizens of Gilman, King county, asking for the passage of a bill favoring the Australian system of voting.

Referred to Committee on Privileges and Elections.

Senate bill No. 147, Relative to obstruction of highways was taken up; the amendments recommended by the committee were adopted:

Senator Long moved to refer the bill to judiciary committee.

Adopted.

House bill No. 147, Relative to a state geologist was taken up.

Senator Hunsaker moved to go into committee of the whole on the bill.

Adopted.

Senator Lawrence in the chair.

The committee arose and reported the bill to the Senate with amendments.

Senator Parkinson in the chair.

The amendments reported by the committee, as follows, were adopted:

Section 2: "Securities" stricken out and "sureties" inserted.

Section 6: After "Mining Bureau" strike out "one-half of the sums so collected" and insert "after deducting the cost of the chemicals used in making analysis for profit, from the fees received for the same, then one-half of the remainder, if any."

President in the chair.

The bill was read a third time and failed of passage by the following vote:

Yeas, Austin, Drum, Fariss, Houghton, Hyde, Lawrence, Luce, Parkinson, Seaborg, Snow, Thompson (L. F.), Whalley, Wooding — 13.

Nays: Hunsaker, Jones, Long, Owings, Preston, Rinehart, Wolfe, Wood — 8.

Absent or not voting: Baker, Clough, Fairweather, Forsyth, Guilfoil, Kinnear, Kneeland, Landes, Payne, Thompson (G. T.), Van Houten, Vestal, Watt, Wilson.

Senators Wood and Jones who had changed their votes to the negative, gave notice of a motion to reconsider the vote by which the bill failed to pass.

Senators Houghton, Luce and Whalley demanded a call of the Senate.

The following were noted absent: Senators Baker, Fairweather, Guilfoil, Kneeland, Landes, Payne, Thompson (G. T.), Van Houten, Vestal, Watt and Wilson.

Senator Houghton moved that further proceedings under the call be dispensed with.

Adopted.

Senate bill No. 76 was, on motion of Senator Houghton, indefinitely postponed.

The president was excused for the rest of the day.

Senator Kinnear in the chair.

Senator L. F. Thompson asked that two members be added to the Committee on Agriculture.

Adopted.

Senate bill No. 84, Relating to the duties of state treasurer, was taken up, amended and, on motion of Senator Jones, considered engrossed and put on its final passage.

The bill was passed by the following vote:

Yeas: Austin, Clough, Drum, Forsyth, Houghton, Hunsaker, Hyde, Jones, Kinnear, Long, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Thompson (L. F.), Watt, Whalley, Wolfe, Wood, Wooding — 23.

Absent or not voting: Baker, Fairweather, Fariss, Guilfoil, Kneeland, Landes, Lawrence, Payne, Thompson (G. T.), Van Houten, Vestal, Wilson.

The emergency clause was passed by the following vote:

Yeas: Austin, Clough, Drum, Fairweather, Forsyth, Houghton, Hunsaker, Hyde, Jones, Kinnear, Lawrence, Long, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Thompson (L. F.), Watt, Whalley, Wolfe, Wood, Wooding — 25.

Absent or not voting: Baker, Fariss, Guilfoil, Kneeland, Landes, Payne, Thompson (G. T.), Van Houten, Vestal, Wilson.

House bill No. 123, Relative to a fish commission, was taken up, the Senate going into committee of the whole on the bill, Senator Hunsaker in the chair.

The committee arose and reported the bill to the Senate.

Senator Parkinson in the chair.

The bill was passed by the following vote:

Yeas: Austin, Clough, Drum, Fairweather, Forsyth, Houghton, Hunsaker, Hyde, Jones, Kinnear, Lawrence, Long, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Thompson (L. F.), Watt, Whalley, Wolfe, Wood, Wooding — 25.

Absent or not voting: Baker, Fariss, Guilfoil, Kneeland, Landes, Payne, Thompson (G. T.), Van Houten, Vestal, Wilson.

The emergency clause was passed by the following vote:

Yeas: Austin, Clough, Drum, Fairweather, Forsyth, Houghton, Hunsaker, Hyde, Jones, Kinnear, Lawrence, Long, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Thompson (L. F.), Watt, Whalley, Wolfe, Wood, Wooding — 25.

Absent or not voting: Baker, Fariss, Guilfoil, Kneeland, Landes, Payne, Thompson (G. T.), Van Houten, Vestal, Wilson.

Senate bill No. 156, Relative to bulls running at large, was taken up.

On motion of Senator Whalley, the Senate, at 4:23 adjourned.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 14, 1890.
10 o'clock A. M.

Senate called to order, pursuant to adjournment, by the secretary.

On motion of Senator Kinnear, Senator Houghton was called to the chair in the absence of the president and president pro tem.

Roll call; all present but Senators Baker, Guilford, Kneeland, Landes, Payne, Thompson (G. T.), Van Houten, Vestal and Wooding, who were excused.

Journal of yesterday read and approved.

On motion of Senator Wilson, the vote by which House bill No. 159, relative to the destruction of thistles, was indefinitely postponed was reconsidered.

The bill was then amended by striking out all reference to "bull thistles," and striking out "supervisor" and inserting "overseer."

Senator Parkinson in the chair.

The bill failed to pass by the following vote:

Yeas: Austin, Jones, Kinnear, Luce, Parkinson, Preston, Rinehart, Snow, Watt, Whalley, Wilson, Wolfe, Wood — 13.

Nays: Clough, Drum, Fairweather, Forsyth, Houghton, Hunsaker, Hyde, Lawrence, Long, Owings, Seaborg — 11.

Absent or not voting: Baker, Faris, Guilfoil, Kneeland, Landes, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Wooding.

Senator Lawrence, who had changed his vote to the negative, gave notice that he would move a reconsideration of the vote by which the bill failed to pass.

Senator L. F. Thompson was excused until Monday.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he was instruced by the House to inform the Senate that the speaker has signed House bill No. 78, An act to appoint a commissioner to compile and annotate the laws of Washington.

Also, House bill No. 79, An act to provide for the purchase of necessary plant for the manufacture of grain sacks at the penitentiary at Walla Walla.

And the same are herewith transmitted to the Senate for the signature of the president.

The House has passed the following:

House bill No. 179, An act to exempt pension money from levy and attachment for debt.

House bill No. 254, An act fixing the salary of the clerk of the supreme court, and declaring an emergency.

House bill No. 257, An act for the protection of hotel keepers, etc.

House bill No. 213, An act relating to trusts, etc.

House bill No. 132, An act for the protection of discharged employes, etc.

House bill No. 180, An act to authorize the issuance of arms to camps of the Sons of Veterans in this state.

Senate bill No. 45, An act to create the office of state printer, and declaring an emergency.

Senate bill No. 46, An act providing for the state printing, and declaring an emergency, with an amendment to section 3.

Has concurred in Senate amendment to House concurrent resolution No. 25, Appointing a joint committee in regard to debates of the constitutional convention.

Has refused to concur in Senate concurrent resolution No. 36, Appointing the Committee on Privileges and Elections a joint committee on apportionment.

Has passed House concurrent resolution No. 26, In relation to legislative apportionment.

And the same is transmitted to the Senate for your action.

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, February 14, 1890.

To the Honorable the Senate of the State of Washington:

GENTLEMEN — I return, without my signature, Senate bill No. 120, entitled "An act to prescribe the duties and compensation of the lieutenant-governor, and declaring an emergency."

The constitution, section 10, article 3, provides for four contingencies, upon the happening of either of which the duties of the office of governor shall devolve upon the lieutenant-governor. These are "the removal, resignation, death or disability of the governor." The legislature cannot constitutionally extend, or add, to these contingencies. The constitution declares in what cases the lieutenant-governor can act as governor, and the subject is thereby exhausted.

Section 2 of the bill under consideration provides that "in case of the absence of the governor from the state the lieutenant-governor shall act as governor . . . during such absence of the governor." If the legislature can provide that the absence of the governor from the state will authorize the lieutenant-governor to act as governor, may not the legislature also provide that the absence of the governor from the capital, or from his office, will authorize the lieutenant-governor to assume the duties of the office of governor?

The absence of the governor from the state is fully covered, in my opinion, by the word "disability" in the constitution. If I am correct in this construction of the constitution, then that portion of section 2, which refers to the absence of the governor from the state, is unnecessary.

If this construction is erroneous, and "absence from the state" is an additional contingency, then section 2, so far as it refers to the absence of the governor from the state, is unconstitutional.

There is, however, a more serious constitutional objection to the last clause of section 2, which is as follows: "In case of the removal, resignation, death or disability of the governor the duties of the office shall devolve upon the lieutenant-governor for the unexpired term." The obvious meaning of the constitution is that the lieutenant-governor shall act as governor while the disability of the governor to discharge the duties of his office shall continue.

The bill provides that if the constitutional disability exists, and the duties of governor devolve upon the lieutenant-governor, he shall continue to act as governor for the unexpired term, although the disability might cease in a few days. Therefore, under the provisions of this bill, should the governor, by reason of sickness or any other cause, be temporarily unable to discharge the duties of his office, and the lieutenant-governor should assume those duties, he would succeed to the office of governor for the unexpired term, although the disability of the governor to discharge the duties of his office no longer existed.

I am of the opinion that, in this respect, the bill is in conflict with the constitution.

ELISHA P. FERRY.

On motion of Senator Owings, the objections of the governor were ordered to be spread on the journal. The bill was read and there being no objections the bill was reconsidered, and on the question, Shall this bill pass, notwithstanding the objections of the governor? the vote was as follows:

Yeas: Drum — 1.

Nays: Austin, Clough, Fairweather, Forsyth, Houghton, Hunsaker, Hyde, Jones, Kinnear, Lawrence, Long, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Watt, Whalley, Wilson, Wolfe, Wood — 23.

Absent or not voting: Baker, Fariss, Kneeland, Landes, Payne,

Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Wooding:

Senate bill No. 46, Relating to state printing: The amendment made by the House was concurred in and the bill ordered to be enrolled.

Senate bill No. 45, For the election of a state printer: The amendments of the House were concurred in and the bill ordered to be enrolled.

Senate bill No. 119, Relative to ditches and drains, etc: The amendment of the House to the title was concurred in; the amendment to section 5 was concurred in; the other two were non-concurred in.

Senate joint memorial, No. 25, Relating to duties on lead ores: Ordered enrolled.

Senate concurrent resolution No. 33: Ordered enrolled.

House bill No. 162, Relative to the insane.

Rules suspended, read first and second times by title, and referred to the Committee of the Whole.

House bill No. 212, substitute for House bill No. 174, Granting to railroads right-of-ways through school lands.

Rules suspended, read first and second time by title, and referred to the Commmittee on Corporations.

Senate bill No. 79 was referred to the Enrolling Committee.

House bill No. 211, Relative to transcripts of judgments in justices' courts.

Rules suspended, read first and second times by title, and referred to the Judiciary Committee.

House bill No. 179, Exempting pension money from levy of attachment.

Rules suspended, read first and second times by title, and referred to the Committee on Judiciary.

House bill No. 254, Fixing the salaries of clerk of the supreme court.

Rules suspended, read first and second times by title, and referred to the Committee on Judiciary.

House bill No. 257, For the protection of hotel keepers.

Rules suspended, read first and second times by title, and referred to the Judiciary Committee.

House bill No. 213, An act relating to trusts, etc.

Rules suspended, read first and second times by title, and referred to the Committee on Corporations.

House bill No. 132, For the protection of discharged employes and to prevent black-listing.

Rules suspended, read first and second time by title, and referred to the Committee on Labor and Labor Statistics.

Senate concurrent resolution No. 36 was, on motion of Senator Kinnear, laid on the table.

House concurrent resolution No. 26, In relation to legislative apportionment, read and adopted.

On motion of Senator Fairweather the Senate, at 12 o'clock, took a recess until 1:30 P. M.

AFTER RECESS.

The Senate was called to order at 1:30 P. M.

All present but Senators Baker, Guilfoil, G. T. Thompson, L. F. Thompson, Van Houten and Vestal, all of whom were excused.

President pro tem. Parkinson in the chair.

House bill No. 180, Relative to allowing the Sons of Veterans fire arms.

Rules suspended, read first and second times by title, and referred to the Military Committee.

Senate bill No. 186 (by consent), was offered by Senator Austin, An act relating to ferries, amendatory of sections 3002, 3003 and 3010 of the Code of Washington.

Rules suspended, read first and second times by title, and referred to the Committee on Revenue and Taxation.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills begs leave to report, that Senate bill No. 49, entitled "An act to provide for the determination of conflicting claims to property, money or indebtedness," and Senate bill No. 80, entitled "An act to amend section 2752 of the Code of Washington Territory relating to assessors;" also Senate bill No. 86, Relating to the filing and recording of transcripts of judgments rendered in this state by the district or circuit courts of the United States, has been carefully compared with the engrossed copy thereof, and found correctly enrolled.

J. M. SNOW, Chairman.
W. V. RINEHART.

MR. PRESIDENT:

Your Committee on Constitution and Revision, to whom was referred Senate concurrent resolution No. 25, respectfully report the same back with an amendment, and recommend its adoption as amended.

H. E. HOUGHTON,
J. R. KINNEAR,
WM. D. WOOD.

On motion of Senator Houghton the resolution was laid on the table.

SPECIAL ORDER.

Senate bill No. 187, a substitute for Senate bills Nos. 7 and 14, was presented by Committee on Elections and Privileges.

The bill was placed on file and subsequently made a special order for Tuesday, February 18th, at 2 P. M.

COMMITTEE REPORT.

MR. PRESIDENT:

Your standing Committee on Elections and Privileges, to whom was referred Senate bills Nos. 7 and 14, relating to elections, beg leave to return the same to the Senate with a substitute therefor, which has been agreed upon in joint conference with the Committee on Elections and Privileges of the House of Representatives, and we respectfully recommend the passage of the substitute.

ALEX WATT,
H. W. FAIRWEATHER,
C. G. AUSTIN,
E. T. WILSON.

Senate bill No. 156, a substitute for House bill No. 102, was taken up and, on motion of Senator Fairweather, re-referred to the Committee on Agriculture.

SPECIAL ORDER.

On motion of Senator Watt Senate bill No. 148 was made a special order for Thursday, 20th instant, 2 P. M.

Senate bill No. 152, Relative to liens of mechanics, laborers and material men, and to amend chapter 138 of the Code of Washington, relative to the same subject.

The amendment of the committee was not agreed to: Yeas 2, nays 7.

Senator Drum offered an additional section.

On motion of Senator Wood, Senate bill No. 152, Senate bill No. 130, on the same subject, and Senator Drum's amendment, were referred to the Judiciary Committee.

Senate bill No. 158, To prescribe the jurisdiction of justices of the peace, etc., was taken up and read third time.

Senator Owings moved to strike out "300" and insert "100."

Adopted by a divisional vote. Yeas 10, nays 9.

Senator Kinnear moved to strike out "one" and insert "two."

Adopted; yeas 12, nays 6.

The bill then failed of passage by the following vote:

Yeas: Drum, Houghton, Hunsaker, Jones, Kinnear, Lawrence, Long, Parkinson, Preston, Rinehart, Seaborg, Whalley, Wolfe, Wood — 14.

Nays: Austin, Clough, Forsyth, Hyde, Owings, Snow — 6.

Absent or not voting: Baker, Fairweather, Fariss, Guilfoil, Kneeland, Landes, Luce, Payne, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Watt, Wilson, Wooding.

Senator Preston moved that House bill No. 131 be reconsidered.

Adopted; yeas 12, nays 7.

Senator Jones moved that the bill be made a special order for Thursday at 2:30 P. M.

Lost.

Senator Whalley moved to strike out of section one the words "no sheriff of a county" and the words "or other."

Adopted.

The bill then failed of passage by the following vote:

Yeas: Drum, Hunsaker, Jones, Kinnear, Lawrence, Parkinson, Rinehart, Seaborg, Watt, Whalley, Wolfe, Wood — 12.

Nays: Austin, Clough, Forsyth, Houghton, Hyde, Long, Luce, Owings, Preston, Snow — 10.

Absent or not voting: Baker, Fairweather, Fariss, Guilfoil, Kneeland, Landes, Payne, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Wilson, Wooding.

SPECIAL ORDERS.

A telegraphic protest was read from Seattle manufacturers and owners of valuable improvements on tide lands against the passage of the tide land bill as reported to the Senate by the Tide Lands Committtee.

On motion of Senators Houghton and Luce, the protest, Senate bill No. 178 and Senate bill No. 184, were made a special order for Thursday, February 27th, 2 P. M.

House bill No. 185, Authorizing county commissioners to issue bonds for road purposes, was taken up.

The amendments of the committee were adopted.

Read third time, and made a special order for Friday, February 21st, at 2:30 P. M.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he was instructed by the House to inform the Senate that the House had concurred in the amendment made in the Senate to House bill No. 208, except to that amendment giving Pierce county two superior judges extra, and asks for a committee of conference.

Senator Whalley offered the following, which was adopted:

SENATE CONCURRENT RESOLUTION NO. 38.

Resolved by the Senate, the House concurring, That a special committee of three (3) from the Senate and five (5) from the House be appointed to submit to the legislature such amendments to the constitution as they may deem necessary.

Senator Parkinson in the chair.

The secretary was instructed to confer with the chief clerk of the House relative to a correct history of House bill No. 208.

On motion of Senator Hyde, the Senate adjourned, at 5:55 P. M., until 10:80 A. M. to-morrow.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 15, 1890.
10:30 o'clock A. M.

Senate called to order pursuant to adjournment; president in the chair.

Roll call; all present but Senators Drum, Fariss, Guilfoil, Hunsaker, Hyde, Kinnear, Kneeland, Lawrence, Parkinson, Payne, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Watt, Wilson and Wooding.

No quorum.

On motion of Senator Luce, the Senate took a recess for five minutes.

Upon re-assembling a quorum was found present.

The journal of yesterday was read and approved.

The president announced that he was about to sign Senate bill No. 86, Senate bill No. 49, Senate bill No. 80, House bill No. 79, House bill No. 98, House bill No. 78, which was done.

Senators Kinnear and Fariss were, on motion, excused until Monday.

Senator Houghton moved that the vote by which House bill No. 147 failed to pass be now reconsidered.

Adopted by a divisional vote. Yeas 13, nays 6.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he was instructed by the House to inform the Senate that the House has refused to recede from the amendment it has made to Senate bill No. 71, An act relating to the duties of the governor, and asks for a committee of conference thereon.

SPECIAL ORDER.

On motion of Senator Jones, House bill No. 147 was made a special order for Thursday, February 20, at 2:30 P. M.

Senator Forsyth presented a remonstrance against the passage of House bill No. 169, In relation to swine running at large.

Referred to Committee on Agriculture.

Senator Wolfe moved that House bill No. 90 be taken from the calender and laid on the table.

Adopted. Yeas 13, nays 3.

COMMITTEE REPORT.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills begs leave to report that Senate bill No. 45, entitled "An act to create the office of state printer; to provide for the election, the term of office, and qualification of said officer, and prescribing his duties, and declaring that an emergency exists;" and Senate bill No. 46, entitled "An act to provide for the state printing and binding; fixing the compensation of the state printer, prescribing his duties, and to provide for the purchase of printing and binding materials, and declaring an emergency," has been carefully compared with the engrossed copy thereof, and found correctly enrolled.

J. M. SNOW, Chairman.
W. V. RINEHART.

The president announced that he was about to sign Senate bill No. 45 and Senate bill No. 46, which was done.

COMMITTEE REPORT.

To the President of the Senate:

We, your Committee on Education, to whom was referred Senate bill No. 121, have had the same under consideration, and beg leave to report it back, with recommendation that it be passed.

J. C. LAWRENCE, Chairman.
HENRY DRUM.

The chair appointed the following conference committee on Senate bill No. 71: Senators Kinnear, Drum and Snow.

INTRODUCTION OF BILLS.

By Senator Lorg: Senate bill No. 188, For the relief of certain notaries public.

Rules suspended, read first and second times by title, and referred to the committee of the whole.

By Senator Rinehart: Senate bill No. 19, To protect innocent purchasers of community real property, and declaring an emergency.

Rules suspended, read first and second times by title, and referred to the Judiciary Committee.

On motion of Senator Houghton, the Senate, at 11:10 A. M., adjourned until Monday, at 1:30 P. M.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 17, 1890.
1:30 o'clock P. M.

Senate called to order, pursuant to adjournment; the president in the chair.

Roll called; all present but Senators Drum, Kinnear, Long, Vestal, Guilfoil, Kneeland, Payne, Wood, Hyde, Landes and Van Houten, all of whom were excused.

Journal of Saturday read and approved.

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, February 15, 1890.

To the Honorable the Senate of the State of Washington:

GENTLEMEN—Having maturely considered Senate bill No. 87, entitled "An act for the appointment of official stenographers for the superior

courts of this State, and fixing their compensation and duties," I find serious constitutional objections thereto, and return it without my signature.

The frequent use of the words "he or she" in the bill, and the last sentence in section 2 clearly indicate that females as well as males may be appointed stenographers under the bill. Is this in conformity with the provisions of the constitution? The position created by the bill is either an office or an employment. If it is an office then, in my opinion, females cannot be appointed stenographers. If it is an employment then females are eligible.

It is important, therefore, to ascertain whether this bill creates an office. The bill declares that a stenographer when appointed is an officer, and the word "office" is used in the bill. This, however, is not conclusive if it should appear from the whole tenor of the bill that an office was not created.

Blackstone defines the word "office" as follows: "Offices are a right to exercise a public or private employment and to take the fees or emoluments thereunto belonging."

Kent gives this definition: "Offices consist in a right and corresponding duty to exercise a public and private trust, and to take the emoluments belonging to it."

Chief Justice Marshall, of the supreme court of the United States, defines an office to be a public charge when the duty is a continuing one which is defined by rules prescribed by the government. This definition by Chief Justice Marshall adds to the elementary definitions given above, a means of distinguishing a mere employment from an office. This distinction is, that in case the duty is a continuing one, and that the position and duties remain the same, though the person dies or is changed, it is an office. But when the service to be performed is an isolated one, where the duty is not continuous, and when it appears from the law that there must be an end to the performance of the prescribed duties, then generally this is an employment. The distinction drawn by Chief Justice Marshall has been generally adopted by the American courts. To illustrate: A commission is created by the legislature to locate and construct any state institution provided for in the constitution, whose powers and duties should end with the completion of the building. These commissioners would not be officers. It would be a mere employment which would cease when the duties prescribed were performed. Should, however, the legislature, after the completion of the institution, provide for a commission, prescribing duties, term of office, compensation, etc., this would be the creation of an office. The commission would form a part of the regular and permanent administration of the state government. This is one of the tests to distinguish the difference between an employment and an office.

After a careful consideration of the subject I have arrived at the conclusion that the bill creates an "office." It being an office, are females eligible to appointment thereto?

There are three provisions in the constitution bearing upon the ques-

tion of the eligibility of females to office in this state. These are section 25 of article 3, and sections 1 and 2 of article 6.

"Section 25, article 3. No person except a citizen of the United States and a qualified elector of this state, shall be eligible to hold any state office, and the state treasurer shall be ineligible for the term succeeding that for which he was elected. The compensation for state officers shall not be increased or diminished during the term for which they shall have been elected. The legislature may, in its discretion, abolish the offices of lieutenant-governor, auditor and commissioner of public lands."

"Section 1, article 6. All male persons of the age of twenty-one years or over, possessing the following qualifications shall be entitled to vote at all elections: They shall be citizens of the United States. They shall have lived in the state one year, and in the county ninety days, and in the city, ward or precinct thirty days immediately preceding the election at which they offer to vote: *Provided*, That Indians not taxed shall never be allowed the elective franchise: *Provided further*, That all male persons who at the time of the adoption of this constitution are qualified electors of the territory shall be electors.

"Section 2, article 6. The legislature may provide that there shall be no denial of the elective franchise at any school election on account of sex."

The first-named section, I think, only applies to the officers referred to in the article. The entire article refers exclusively to those offices which constitute the executive department, and section 25 must be construed in connection with the whole article. Therefore, the words in the section, "any state office," cannot be construed to mean "any officer of the state."

Section 1, article 6, prescribes the qualifications of electors. By this section the elective franchise is clearly confined to "male persons."

We are now confronted with the question: "Can a person who is not an elector be elected or appointed to an office?" It appears to be a well settled principle in this country that when a constitution prescribes the qualifications of electors, and is silent in regard to eligibility to office, that no one, except an elector, is eligible to office.

There is another fatal objection to the bill. At the end of section 2 is this independent provision: "No person shall be ineligible to office on account of sex." This is general, and renders females eligible to any office in the state, and is consequently clearly unconstitutional.

It is not a sufficient answer to this objection to say that it refers only to stenographers. We cannot assume that all the judges in the state will so construe it, and within a year we might have the singular anomaly that in some of the counties of the state females might be declared eligible and might be elected to office, while in other counties they might be declared to be ineligible. Growing out of this state of affairs serious litigation may arise. This can easily be avoided by the passage of a bill which does not contain the objectionable features of the present bill.

The sentence above referred to is, however, so unambiguous, and refers so clearly to all offices in the state, that it is difficult to conceive how

any court could place any other construction upon it than that it applied to all offices.

Section 2, article 6, authorizes the legislature to confer the elective franchise at any school election upon females. When this is done females will be eligible to any office connected with the schools of the state.

The conclusion at which I have arrived is, that under the constitution females cannot by law be rendered eligible to office in this state, except to school offices under section 2, of article 6. ELISHA P. FERRY.

The secretary was instructed to spread the message upon the journal.

The bill (Senate bill No. 87) was then read at length, and on motion of Senator Houghton, the vote by which the bill was passed was re-considered.

Senator Houghton then moved that the question, Shall the bill pass, notwithstanding the objections of the governor, be made a special order for Wednesday next, at 2 P. M.

Adopted.

COMMITTEE REPORT.

MR. PRESIDENT:

Your Committee on Agriculture, to whom was referred House bill No. 160, entitled "An act providing for the use of water for the purpose of irrigation, etc.," beg leave to report it back with the following amendments, and as amended recommend its passage:

1st. Strike out section 10.

2d. After the word "land" in line 3 of section 23, in printed bill, insert the words "or the land of other persons, as provided for in section 57 in this act."

3d. Strike out lines three and four of section 26, in printed bill.

4th. Strike out section 42.

Also, House bill No. 223, An act to regulate and fix tare on hops, etc., and recommend its passage.

Senate bill No. 35, An act to appoint a commission to report and recommend locations for Agricultural College, and recommend its indefinite postponement.

L. F. THOMPSON, Chairman,
A. T. FARISS.

The recommendation as to Senate bill No. 35 was adopted, and the bill was indefinitely postponed.

INTRODUCTION OF BILLS.

By Senator Wilson: Senate bill No. 190, An act to protect all citizens in their civil and legal rights.

Rules suspended, read first and second time by title, and referred to Committee on Judiciary.

By Senator Rinehart: Senate bill No. 191, An act relating to instructions to juries and exceptions thereto, in superior courts.

Rules suspended, read first and second time by title, and referred to Committee on Judiciary.

THIRD READING OF BILLS.

By Senator Lawrence: House bill No. 208, To provide an additional number of superior court judges, and declaring an emergency to exist, which was returned to the House for correction of history of the bill, was read, the House having concurred in all the Senate amendments, except that in relation to two judges for Pierce county.

The Senate, on the motion "will the Senate recede from its action in amending House bill No. 208," it was unanimously agreed not to recede.

Senate bill No. 127, Relative to turnpike roads, with amendments of the joint Committee on Roads, was taken up.

The amendments were concurred in.

Senator Parkinson in the chair.

Senator Hunsaker offered the following amendment, which was adopted: Add to section 11, "*Providing*, That no tax shall be levied at any time to exceed 5 per centum of the total assessed value of the taxable property therein."

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he had been instructed by the House to inform the Senate that the House has passed House bill No. 275, An act extending the time for the payment of taxes levied for the year 1889, and declaring an emergency.

Senator Wilson offered the following amendment to section 2 of Senate bill No. 127: After the words "wholly of earth" insert the words "plank or timber."

Senator Rinehart offered the following: Amend section 5 by striking out the last two words of section "become inoperative" and insert "be returned."

The bill having been read a third time, was ordered to be engrossed.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills begs leave to report, that Senate bill 79, entitled "An act authorizing and empowering cities and

towns, organized prior to the adoption of the state constitution, to extend their credit and to fund their indebtedness, and validating certain indebtedness already contracted, and declaring an exergency to exist; also Senate joint memorial No. 25, relating to the duty on lead ores, has been carefully compared with the engrossed copy thereof, and found correctly enrolled.

J. M. SNOW, Chairman,
W. V. RINEHART,
J. HUNSAKER,
Members of Committee.

House bill No. 160, Relative to the use of water for irrigation purposes, was, on motion of Senator Wilson, taken up. The committee amendments were adopted.

Senator Wood was excused from attendance until Wednesday.

Senator Lawrence was indefinitely excused.

Senator Thompson moved a call of the House. The following-named senators were found absent: Drum, Guilfoil, Houghton, Hyde, Kinnear, Kneeland, Landes, Lawrence, Long, Luce, Payne, Van Houten, Vestal, Wood.

The sergeant-at-arms reported that none of the absentees could be found.

On motion of Senator Fairweather, further proceedings under the call were dispensed with.

President in the chair; Senator Thompson moved to strike out sections 29 and 34, 48, 64, 67.

Lost.

The bill was then passed by the following vote.

Yeas: Austin, Baker, Clough, Fairweather, Fariss, Forsyth, Houghton, Hunsaker, Jones, Lawrence, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Thompson (L. F.), Watt, Whalley, Wilson, Wolfe, Wooding — 23.

Nays: Thompson (G. T.) — 1.

Absent or not voting: Drum, Guilfoil, Hyde, Kinnear, Kneeland, Landes, Long, Payne, Van Houten, Vestal, Wood.

On motion of Senator Owings the bill was laid on the table.

The Senate, at 4:30 P. M., on motion of Senator Luce, adjourned until 1:30 P. M. tomorrow.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 18, 1890.
1:30 o'clock P. M.

Roll call; all present but Senators Guilfoil, Hyde, Kneeland, Landes, Payne, Van Houten, Vestal and Wood, who were excused.

On motion of Senator Kinnear the reading of the journal was dispensed with.

REPORT OF COMMITTEES.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills begs leave to report, that Senate joint resolution No. 33, instructions to the judiciary committees of both houses, has been carefully compared with the engrossed copy thereof, and found correctly enrolled.

J. M. SNOW, Chairman,
W. V. RINEHART.

The president announced that he was about to sign Senate bill No. 79, Senate joint memorial No. 25, Senate joint resolution No. 33, which was done.

A petition was presented from the citizens of Whatcom praying for the passage of a bill for a soldiers' home, now before the legislature.

Laid on the table.

The chair announced that he had placed Senator Rinehart on the Conference Committee on Senate bill No. 71, in place of Senator Kinnear, and appointed Senators Hyde and Clough as additional members of the Committee on Agriculture.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your standing Committee on Engrossed Bills begs leave to report, that Senate bill No. 127, entitled "An act for laying out, opening, building and maintaining turnpike roads, and providing for counties issuing bonds for the same," has been carefully compared with the original bill, and found correctly engrossed.

J. C. LAWRENCE,
JNO. S. BAKER,
Members of Committee.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred House bill No. 122, entitled "An act defining tresspass on the public lands of the state, and providing punishment therefor," have had the same under considera-

tion, and now respectfully report the same back to the Senate with the recommendation that the bill pass.

Respectfully submitted, J. R. KINNEAR, Chairman.

Report concurred in by Senators Wood, Houghton and Whalley, being all the members of said committee present.

MR. PRESIDENT:

Your Committee on Commerce, to whom was referred House bill No. 229, would respectfully report the following amendments, and recommend that it do pass as amended.

1st. Amend the title by striking out "companies or individuals."

2d. Amend section 8, line 7, of original bill, by inserting the words "and chains" between the words "sticks" and "to."

3d. Amend section 9 by striking out the words "companies and individuals."

B. A. SEABORG, Chairman,
J. HUNSAKER,
J. H. JONES.

MR. PRESIDENT:

Your Committee on Commerce, to whom was referred House bill No. 175, would respectfully report that the same be indefinitely postponed.

B. A. SEABORG, Chairman,
J. HUNSAKER,
J. H. JONES.

The report of the above committee on House bill No. 175 was adopted.

MR. PRESIDENT:

We, the Committee on School for Defective Youth, have examined the accompanying bill (Senate bill No. 151) and recommend its passage.

L. B. CLOUGH,
C. T. WOODING,
C. E. FORSYTH.

MR. PRESIDENT:

Your standing Committee on Claims having considered Senate bill No. 151, An act to appropriate money to pay for material furnished and labor performed on account of the Washington School for Defectfve Youth, would respectfully report:

1st. Said indebtedness appears to have been made without authority of the law, inasmuch as section 6, page 83, laws of 1887–8, provides that "the board shall in no case sanction the payment of any money unless the labor has been performed or materials have been furnished in accordance with a *contract* entered into under the provisions of this act, for which any such payment is contemplated."

Section 7 provides: "If the appropriation hereinafter provided for is not sufficient for the erection of the whole building or buildings, such portion thereof shall be first built and finished for the occupation of pupils as shall, in the judgment of the board, be deemed most expedient."

In view of the foregoing, your committee would respectfully ask the Committee on State School for Defective Youth to inquire into this claim for the deficiency that appears to have been authorized by the board without any authority therefor.

W. V. RINEHART, Chairman,
J. HUNSAKER,
S. VESTAL.

MR. PRESIDENT:

Your Committee on Corporations other than Municipal, to whom was referred Senate bill No. 133, entitled "A bill for an act authorizing railroad corporations to construct branches and extensions from their railroads and from the railroads of other railroad corporations connecting with their roads, and to consolidate with other railroad corporations," would report that they have carefully considered the same in whole and in part; that in the opinion of the committee such a law as the bill proposes would foster and stimulate railroad construction and enterpise within the state, while it would also fully protect the rights of individuals and the public in general. Your committee therefore recommends that the bill do pass.

On Senate bill No. 108, entitled "An act to amend section 2479 of the code of Washington relating to foreign corporations," would respectfully report that they have had the same under consideration, and recommend that the enacting clause of the bill be so amended as to read as follows: "Be it enacted by the Legislature of the State of Washington," and that the bill as so amended do pass.

On House bill No. 33, entitled "An act in relation to registering marks and brands on stock shipped by railroads, and to provide a penalty for its violation," would report that they have carefully considered the same and beg leave to report the bill back with the following amendment: Strike out "five hundred" in section 3 and insert "ten," and strike out "thousand" in same section and insert "hundred," so as to make it read "not less than ten dollars nor more than one hundred dollars." We recommend the passage of the same with amendment.

N. H. OWINGS,
C. G. AUSTIN,
W. J. PARKINSON,
F. H. LUCE,
H. E. HOUGHTON.

INTRODUCTION OF BILLS.

By Senator Wooding: Senate bill No. 192, A bill to provide for the bridging of navigable streams in cities and towns.

Rules suspended, read first and second time by title, and referred to the Committee on Roads, Bridges and Fences.

By Senator Wooding: Senate bill No 193, A bill to provide for bridging of navigable streams.

Rules suspended, read first and second time by title, and referred to the Committee on Roads, Bridges and Fences.

House bill No. 275, An act extending the time for payment of taxes levied for the year 1889, and declaring an emergency, was read.

Senator Snow moved to amend as follows:

Add to section 1: "From and after the 1st day of April, 1890, the sheriff shall be collector of said delinquent taxes for 1889. On the first Tuesday of April, 1890, the county treasurer must attend at the office of the county auditor, and perform the duties required by chapter CVI of the Laws of Washington, as passed in 1887 ss.

Adopted.

The bill then passed as follows:

Yeas: Austin, Baker, Clough, Fairweather, Forsyth, Houghton, Hunsaker, Jones, Kinnear, Lawrence, Long, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Thompson (L. F.), Watt, Whalley, Wilson, Wolfe, Wooding — 24.

Nays: Drum, Thompson (G. T.) — 2.

Absent or not voting: Fariss, Guilfoil, Hyde, Kneeland, Landes, Payne, Van Houten, Vestal, Wood.

The emergency clause was passed as follows:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Forsyth, Houghton, Hunsaker, Jones, Kinnear, Lawrence, Long, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Thompson (L. F.), Watt, Whalley, Wilson, Wolfe, Wooding — 25.

Nays: Thompson (G. T.).

Absent or not voting: Fariss, Guilfoil, Hyde, Kneeland, Landes, Payne, Van Houten, Vestal, Wood.

Senator Wilson moved to take up House bill No. 160, and a vote on the emergency clause be had.

Adopted.

The emergency clause was passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Houghton, Hunsaker, Jones, Kinnear, Lawrence, Long, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Thompson (L. F.), Watt, Whalley, Wilson, Wolfe, Wooding — 26.

Nays: Thompson (G. T.) — 1.

Absent or not voting: Guilfoil, Hyde, Kneeland, Landes, Payne, Van Houten, Vestal, Wood.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he was instructed by the House to inform the Senate that the House has

passed House bill No. 203, An act correcting informalities of record in the establishment of the various public roads and highways in the state.

The speaker had signed Senate bill No. 45, In relation to state printer, and Senate bill No. 46, To provide for the state printing, both of which have passed both houses and have been reported correctly enrolled, signed by the president, and the same are herewith returned to the Senate for transmission to the governor.

The speaker had signed House bill No. 123, An act appointing a fish commissioner, which has passed both houses, been reported correctly enrolled and the same is herewith transmitted to the Senate for the signature of the president.

The speaker had signed Senate bill No. 49, In relation to conflicting claims.

Also, Senate bill No. 80, An act amending laws relating to assessors.

Also Senate bill No. 86, In relation to the filing and recording of transcripts of judgments.

All of which are reported correctly enrolled and signed by the president.

And the same are herewith returned to the Senate for transmission to the governor.

The speaker has appointed Representatives Evans, Grant and Gandy as of the committee on House bill No. 208, Providing an additional number of superior court judges.

The House has refused to adopt the report of the conference committee on House bill No. 208, In relation to additional court judges, and asks for a free conference committee.

SPECIAL ORDER.

Senator Parkinson in the chair.

Substitute for Senate bills Nos. 7 and 14, February 13.

Senate bill No. 187, Relative to elections and ballots, was taken up, read third time, and amended in sections 21, 22 and 23.

The rules were suspended; the bill, on motion of Senator Wilson, was considered engrossed, and passed by the following vote.

Yeas: Austin, Baker, Clough, Drum, Fariss, Houghton, Hunsaker, Jones, Kinnear, Lawrence, Long, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Thompson (L. F.), Watt, Whalley, Wilson, Wooding — 23.

Nays: Thompson (G. T.) — 1.

Absent or not voting: Fairweather, Forsyth, Guilfoil, Hyde, Kneeland, Landes, Payne, Van Houten, Vestal, Wolfe, Wood.

President in the chair.

The chair announced the following conference committee on House bill 208, Senators Baker, Fariss, Austin.

On motion of Senator Houghton Senate bill No. 185, on enlarging the corporate limits of any city, etc., was taken from the committee of the whole. The bill was read a third time, amended in sections 1, 3, 6 and 10. The rules were suspended on motion of Senator Kinnear, the bill considered engrossed, and passed by yeas 21, nays 0, as follows:

Yeas: Austin, Baker, Clough, Drum, Fariss, Forsyth, Houghton, Hunsaker, Jones, Kinnear, Long, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Watt, Whalley, Wooding — 21.

Absent or not voting: Fairweather, Guilfoil, Hyde, Kneeland, Landes, Lawrence, Payne, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Wilson, Wolfe, Wood.

The bill was then laid on the table.

The president announced that he was about to sign House bill No. 123, which was done.

Senator Whalley moved to make Senate bill No. 5 a special order for to-morrow at 10:30 A. M.

Agreed to by a divisional vote of yeas 17, nays 2.

On motion of Senator Owings the Senate, at 5 P. M., adjourned.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 19, 1890.
10 o'clock A. M.

Senate called to order pursuant to adjournment; president in the chair.

Roll called: all present but Senators Drum, Fairweather, Guilfoil, Houghton, Hunsaker, Hyde, Jones, Kneeland, Landes, Lawrence, Luce, Owings, Parkinson, Payne, Snow, Thompson (G. T.), Van Houten, Whalley, Wood — 19.

There being but 16 members present, no quorum, the Senate, on

motion of Senator Fariss, took a recess of 15 minutes. Upon reassembling the roll was again called.

All present but Senators Guilfoil, Hyde, Kneeland, Landes, Payne, Van Houten, Wood, who were excused.

Prayer by Rev. Mr. Buck, of the Episcopal church.

On motion of Senator Preston, the reading of the journal was dispensed with, and on his motion, Senate bill No. 146, substitute reported by the committee, was taken up. The original bill was indefinitely postponed. The substitute bill was read third time, and passed by the following vote:

Yeas: Austin, Baker, Clough, Forsyth, Hunsaker, Jones, Kinnear, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Thompson (L. F.), Vestal, Whalley, Wilson, Wolfe, Wooding — 19.

Nays: Fariss — 1.

Absent or not voting: Drum, Fairweather, Guilfoil, Houghton, Hyde, Kneeland, Landes, Lawrence, Long, Payne, Snow, Thompson (G. T.), Van Houten, Watt, Wood.

The emergency clause failed to pass by the following vote:

Yeas: Austin, Baker, Clough, Drum, Houghton, Hunsaker, Jones, Lawrence, Long, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Thompson (L. F.), Vestal, Whalley, Wolfe, Wooding — 21.

Nays: Fariss, Forsyth, Kinnear, Wilson — 4.

Absent or not voting: Fairweather, Guilfoil, Hyde, Kneeland, Landes, Payne, Thompson (G. T.), Van Houten, Watt, Wood.

Senator Kinnear, who had changed his vote to the negative, gave notice of entering a motion to reconsider the vote by which the emergency clause failed to pass.

The president announced the following committee of free conference on House bill No. 20: Senators Baker, Fariss, Austin, Vestal and Forsyth.

On motion of Senator Whalley, Senate bill No. 5, special order for 10:30 A. M., was re-referred to the Committee on Municipal Corporations.

Senate bill No. 185 was taken up, and the emergency clause passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Houghton, Hunsaker, Jones, Kinnear, Lawrence, Long, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Thompson

(G. T.), Thompson (L. F.), Vestal, Whalley, Wilson, Wolfe, Wooding—27.

Absent or not voting: Guilfoil, Hyde, Kneeland, Landes, Payne, Van Houten, Watt, Wood.

On motion of Sentor Whalley, Senate bill No. 110 was taken up, the title amended by adding "and declaring an emergency," and the following substitute for section 2 adopted: "Whereas, it is necessary to secure the immediate benefits of this act, an emergency is declared to exist, and it shall take effect and be in force from and after its approval by the governor."

The bill was read a third time, and passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Houghton, Hunsaker, Jones, Kinnear, Lawrence, Long, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Thompson (L. F.), Vestal, Watt, Whalley, Wilson, Wolfe, Wooding—28.

Absent or not voting: Guilfoil, Hyde, Kneeland, Landes, Payne, Van Houten, Wood.

The emergency clause was passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Houghton, Hunsaker, Jones, Kinnear, Lawrence, Long, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Thompson (G. T.), Thompson (L. F.), Vestal, Watt, Whaley, Wilson, Wolfe, Wooding—27.

Absent or not voting: Guilfoil, Hyde, Kneeland, Landes, Payne, Snow, Van Houten, Wood.

Senate bills Nos. 162 and 167, Relief bills for Miles C. Moore, John Sullivan and others, were on motion taken up.

The Senate went into committee of the whole.

Senator Lawrence in the chair.

The committee arose, reported the bills to the Senate.

President in the chair.

Senate bill No. 167 was read third time and passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Forsyth, Houghton, Hunsaker, Jones, Kinnear, Lawrence, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Thompson (F. L.,) Vestal, Whalley, Wolfe—22.

Absent or not voting: Fariss, Guilfoil, Hyde, Kneeland, Landes,

Long, Thompson (G. T.), Van Houten, Watt, Wilson, Wood, Wooding.

Senate bill No. 162 was passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Forsyth, Houghton, Hyde, Kneeland, Lawrence, Long, Luce, Owings, Payne, Preston, Rinehart, Seaborg, Van Houten, Watt, Whalley, Wolfe, Wooding — 22.

Absent or not voting: Fariss, Guilfoil, Hunsaker, Jones, Kinnear, Landes, Parkinson, Snow, Thompson (G. T.), Thompson (L. F.), Vestal, Wilson, Wood.

Senator Lawrence notified the Senate that the Committee on Education no longer needed the services of its clerk, and asked that he be discharged.

Adopted, and the secretary notified to inform the clerk that his services were dispensed with.

Senator L. F. Thompson offered Senate concurrent resolution No. 39, Relative to securing the attendance of witnesses before the joint special committee on university.

Adopted.

REPORTS OF COMMITTEES.

MR. PRESIDENT:

Your joint committee of conference, to whom was referred the disagreement of the two houses upon Senate bill No. 71, An act relating to the duties of governor, making an appropriation for the office and declaring an emergency, have considered said bill, and recommend that the Senate recede from its position in refusing to concur in the House amendments to said bill, and that the bill pass as amended in and passed by the House.

W. V. RINEHART,
Chairman Senate Committee.

J. M. SNOW,
HENRY DRUM,
F. J. GRANT,
Chairman House Committee.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills begs leave to report that Senate bill No. 45, entitled "An act to create the office of state printer, to provide for the election, the term of office and qualification of said officer, and prescribing his duties and declaring that an emergency exists."

Senate bill No. 46, entitled "An act to provide for the state printing and binding, fixing the compensation of the state printer, prescribing his duties, and to provide for the purchase of printing and binding materials, and declaring an emergency."

Senate bill No. 49, entitled "An act to provide for the determination of conflicting claims to property, money or indebtedness."

Senate bill No. 80, entitled "An act to amend an act entitled 'An act to amend section 2752 of the Code of Washington Territory relating to assessors.'"

Senate bill No. 86, entitled "An act relating to the filing and recording of transcripts of judgments rendered in this state by the district or circuit courts of the United States," have on this 19th day of February, 1890, been forwarded to his excellency the governor for his approval.

J. M. SNOW, Chairman,
W. V. RINEHART.
J. HUNSAKER.

MR. PPESIDENT:

Your Committee on Judiciary, to whom was referred House bill No. 254 (a substitute for House bill No. 36), entitled "An act fixing the salary of the clerk of the supreme court, and providing for the payment of the same, and declaring an emergency," have had the same under consideration, and now respectfully report the same back to the Senate, with the recommendation that the bill pass.

Respectfully submitted, J. R. KINNEAR, Chairman.

Report concurred in by Senators Whalley, Houghton and Baker, being all the members of said committee present.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 189, entitled "An act to protect innocent purchasers of community real property, and declaring an emergency," have had the same under consideration, and now respectfully report the same back to the Senate, with the recommendation that the bill pass.

Respectfully submitted, J. R. KINNEAR, Chairman.

Report concurred in by Senators Houghton, Whalley and Baker, other members of committee being absent.

MR. PRESIDENT:

Your Committee on Judiciary beg leave to report Senate bill No. 194, a bill entitled "An act to provide a single and uniform method of removing causes from the superior courts to the supreme court for revision, and to regulate the practice in the supreme court in such causes," which bill is herewith submitted, with the recommendation that it pass.

Respectfully submitted, J. R. KINNEAR, Chairman.

Report concurred in by Senators Houghton, Whalley and Baker, being all the members of said committee present.

The bill was read first and second time by title, under suspension of rules, and placed on file.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 170, entitled "A bill for an act concerning the ownership, conveyance

and descent of property of husband and wife, and repealing laws relating to community property," have had the same under consideration, and now respectfully report the same back to the Senate, with the recommendation that the bill be indefinitely postponed.

Respectfully submitted. J. R. KINNEAR, Chairman.

Report concurred in by Senators Houghton, Whalley and Baker, being all the members of said committee present.

The report of the committee was not agreed to.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 169, entitled "A bill for an act to legalize conveyances and other instruments affecting real estate," have had the same under consideration, and now respectfully report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

Respectfully submitted,

J. R. KINNEAR, Chairman.

Report concurred in by Senators Houghton, Whalley and Baker, being all the members of said committee present.

The report of the committee was not agreed to.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 172, entitled "An act to provide for submitting the question of the permanent location of the seat of government to a vote of the people," have had the same under consideration, and now respectfully report the same back to the Senate with the recommendation that the bill pass.

Your Committee on Judiciary, to whom was referred House bill No. 211, entitled "A bill for an act relating to transcripts of judgment in justices' courts," have had the same under consideration, and now respectfully report the same back with the recommendation that the bill pass.

Your Committee on Judiciary, to whom was referred Senate bill No. 150, entitled "An act to protect innocent purchasers of community real property, and declaring an emergency," have had the same under consideration, and now respectfully report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

Respectfully submitted,

J. R. KINNEAR, Chairman.

Report concurred in by Senators Houghton, Whalley and Baker, being all the members of said committee present.

The report of the committee was not agreed to.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred House bill No. 125, entitled "A bill for an act to secure creditors a just division of the estates of debtors who convey to assignees for the benefit of creditors,"

have had the same under consideration, and now respectfully report the same back to the Senate with the recommendation that the bill be indefinitely postponed. Respectfully submitted,

J. R. KINNEAR, Chairman.

Report concurred in by Senators Houghton, Whalley and Baker, being all the members of said committee present.

The report of the committee was adopted by a divisional vote—yeas 11, nays 10.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 147, entitled "An act to prevent the obstruction of highways, and to abate nuisances thereon, and providing a penalty," have had the same under consideration, and now respectfully report the same back to the Senate with the recommendation that the bill pass. Respectfully submitted.

J. R. KINNEAR, Chairman.

Report concurred in by Senators Houghton, Whalley and Baker, being all the members of said committee present.

MR. PRESIDENT:

Your Committee on Judiciary beg leave to report that they have prepared a bill entitled "Senate bill No. 195, An act to amend section 389, chapter XXXVI, of the Code of Washington, relating to witnesses and evidence," which bill is submitted herewith with the recommendation that the bill pass. Respectfully submitted,

J. R. KINNEAR, Chairman.

Report concurred in by Senators Houghton, Whalley and Baker, being all the members of said committee present.

The rules were suspended, the bill read first and second times by title, and placed on file.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he had been instructed by the House to inform the Senate that the House had passed House bill No. 252, An act correcting omissions of attesting witnesses in deeds, mortgages and other instruments of writing.

Also, House bill No. 253, "An act to amend chapter XLVI of the code, relating to actions to recover, and affecting real estate.

Also, House bill No. 207, An act for the relief of H. W. Eagan.

And has also passed Senate bill No. 131, An act to provide for the payment of the debt of the Territory of Washington, and declaring an emergency, with amendments to section 1, line 6, section 2, line 9, and section 4, line 8.

The speaker has signed House bill No. 275, An act extending the time for payment of taxes, etc. Passed both Houses and reported correctly enrolled.

The speaker has signed Senate bill No. 79, An act authorizing and empowering cities and towns prior to the adoption of the state constitution to extend their credit, and fund their indebtedness.

Senate joint resolution No. 33, In relation to instructions to the Judiciary Committee of both Houses. Both of which have passed both Houses, and been reported correctly enrolled.

The speaker has signed Senate joint memorial No. 25, In relation to the duty on lead ores.

The House has passed Senate bill No. 185, An act to provide for extending the corporate limits of cities and towns, and declaring an emergency, with amendments to section 3 and section 10 marked on the bill, and the same are transmitted to the Senate for your action.

On motion of Senator Lawrence the Senate went into committee of whole on House bill No. 162, House bill No. 249, Senate bill No. 159 and Senate bill No. 188.

Senator Austin in the chair.

The committee arose and reported House bill No. 249 and Senate bill No. 159 without amendments and House bill No. 152 with amendments and was granted leave to sit again.

President in the chair.

On motion of Senator Thompson (L. F.), the Senate, at 12:20, took a recess until 2 o'clock P. M.

AFTER RECESS.

The Senate was called to order at 2 P. M.

All senators present except Senators Guilfoil, Hyde, Kneeland, Landes, Payne, Thompson (G. T.), Van Houten.

President pro tem. Parkinson in the chair.

Senator Kinnear offered and moved the passage of Senate bill No. 40, To prevent the introduction of new bills after the first of March and to adjourn sine die March 12th.

Senator Wood moved to amend, to insert March 15th, instead of 12th.

Lost.

Senator Houghton moved that the part relative to adjourning on March 12th be stricken out.

Adopted.

The yeas and nays were unanimously called on the resolution, and it was adopted as amended by the following vote:

Yeas: Austin, Baker, Clough, Drum, Houghton, Hunsaker, Jones Kinnear, Lawrence, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Thompson (L. F.), Vestal, Watt, Whalley, Wilson Wolfe, Wood, Wooding—23.

Nays: Fairweather, Fariss, Forsyth—3.

Absent or not voting: Guilfoil, Hyde, Kneeland, Landes, Long, Payne, Snow, Thompson (G. T.), Van Houten.

SPECIAL ORDER.

Senator Kinnear moved to take up Senate bill No. 143.

On motion of Senator Austin, the Senate went into committee of the whole.

Senator Houghton in the chair.

The committee arose and reported the bill to the Senate without amendments.

Senator Fairweather in the chair.

Senator parkinson moved to strike out "thirty thousand" in section 3, and insert "ten thousand."

Withdrawn.

The bill fail to pass by the following vote:

Yeas: Fairweather, Fariss, Hunsaker, Lawrence, Long, Luce, Parkinson, Rinehart, Seaborg, Thompson (L. F.), Vestal, Watt, Wolfe, Wood, Wooding—15.

Nays: Baker, Clough, Drum, Forsyth, Houghton, Kinnear, Owings, Whalley, Wilson—9.

Absent or not voting: Austin, Guilfoil, Hyde, Jones, Kneeland, Landes, Payne, Preston, Snow, Thompson (G. T.), Van Houten.

Senator Kinnear who had changed his vote from the affirmative to the negative gave notice of a motion to reconsider.

INTRODUCTION OF BILLS.

By Senator Wood: Senate bill No. 96, An act relative to the recording of cash and final receipts and certificates of the U. S. register and receiver.

Rules suspended, read first and second time, and referred to the Judiciary Committee.

By Senator Wood: Senate bill No. 197, An act to provide for the improvement of Salmon Bay, etc.

Same action; referred to Committee on Tide Lands.

By Senator Hunsaker: Senate bill No. 98, An act for the location of lieu school land, etc.

Same action; referred to Committee on State, School and Granted Lands.

Same action; referred to Judiciary Committee.

By Senator Drum: Senate bill No. 199, An act in relation to actions of forcible entry and detainer, and unlawful detainer of property.

Same action; referred to Judiciary Committee.

Senator Drum made a personal statement. He read from a Tacoma newspaper the following:

"If Senator Drum is correctly reported as saying that 'a good portion of the nineteen senators who voted for the passage of the Hill code bill had substantial reasons for doing so, that one senator and another high official are $5,000 better off to-day than before the bill came up,' there will be an occasion for another investigation at Olympia. This time it should be a 'boodle' and not an anti-boodle investigation."

Senator Drum said he was incorrectly reported. He never made use of such remarks.

Senate bill No. 185, Extending corporate limits of cities, with House amendments, was taken up, and the amendments concurred in by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Houghton, Hunsaker, Jones, Kinnear, Lawrence, Luce, Owings, Parkinson, Rinehart, Seaborg, Thompson (L. F.), Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding — 25.

Absent or not voting: Guilfoil, Hyde, Kneeland, Landes, Long, Payne, Preston, Snow, Thompson (G. T.), Van Houten.

The bill was ordered to be enrolled.

On motion of Senator Fairweather Senate bill No. 131 was taken up, and the amendments made to the bill by the House was concurred in by the following vote:

Yeas: Austin, Baker, Drum, Fairweather, Fariss, Forsyth, Houghton, Hunsaker, Kinnear, Lawrence, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Thompson (L. F.), Vestal, Watt, Whalley, Wilson, Wolfe, Wooding — 23.

Absent or not voting: Clough, Guilfoil, Hyde, Jones, Kneeland, Landes, Long, Payne, Snow, Thompson (G. T.), Van Houten, Wood.

The bill was ordered to be enrolled.

On motion of Senator Fariss, House bill No. 125 was taken up by a divisional vote. Yeas 14, nays 4.

Senator Austin moved to lay the bill on the table.

Adopted.

The president announced that he was about to sign Senate joint resolution No. 33 and House bill No. 275, which was done.

House bill No. 162 was taken up (Senator Parkinson in the chair), relative to the insane.

On the questions, shall the amendments made in committee of the whole be adopted, they were adopted.

The bill was read a third time, amended in sections 16, 42, 44, and then, on motion of Senator Houghton, laid on the table.

SPECIAL ORDER.

Senate bill No. 87, Relative to stenographers, together with the veto message of the governor, made a special order for 2:30 P. M., was placed in the order of "messages from the governor."

House bill No. 249, To pay Messrs. Doolittle, Isham and Snively $100 each, was taken up, read third time, and passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Forsyth, Houghton, Hunsaker, Jones, Kinnear, Lawrence, Luce, Parkinson, Preston, Rinehart, Seaborg, Vestal, Whalley, Wolfe, Wood, Wooding—20.

Nays: Long, Owings—2.

Absent or not voting: Fairweather, Fariss, Guilfoil, Hyde, Kneeland, Landes, Payne, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Watt, Wilson.

Senator Drum presented the following telegram, which was read:

TACOMA, WASHINGTON, February 19, 1890.

To Senator Henry Drum:

Will you, in behalf of the National Guard and independent military companies of Tacoma, extend to the governor, state officers and members of both branches of the legislature an invitation to participate with us in celebrating Washington's birthday, February 22d.

W. J. FIFE, Chairman.

Mr. Whalley moved that the invitation so cordially extended be accepted.

Adopted unanimously.

On motion of Senator Jones, the Senate, at 5:05 P. M., adjourned.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 20, 1890.
10 o'clock A. M.

Senate called to order pursuant to adjournment.

President in the chair.

Roll call; all present but Senators Guilfoil, Hyde, Kneeland, Landes, Snow and Van Houten, all of whom were excused.

Journal of yesterday read and approved.

A lengthy petition was presented by Senator Jones from the people of Seattle, King county, asking for the passage of Senate bills Nos. 7, 4 and 19, in the interest of ballot reform.

Referred to Committee on Elections and Privileges.

COMMITTEE REPORT.

MR. PRESIDENT:

Your standing Committee on Tide Lands have had under consideration House bill No. 49, which is herewith submitted and recommend that the same do pass. C. G. AUSTIN.

MR. PRESIDENT:

Your standing Committee on Tide Lands have had under consideration Senate bill No. 166, which is herewith submitted and recommend the same be indefinitely postponed. C. G. AUSTIN, Chairman.

The report of the committee was adopted.

To the President of the Senate:

We, your Committee on Harbor Lines and Navigable Streams, to whom was referred House Bill No. 191, An act defining the port of Port Townsend, have fully considered the same and beg leave to return the said bill with the recommendation that it pass. H. W. FAIRWEATHER,
W. J. PARKINSON,
Committee.

Absent: Senator Kneeland.

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, WASHINGTON, February 19, 1890.

To the Honorable the Senate of the State of Washington:

I have this day signed and approved:

Senate bill No. 45, entitled "An act to create the office of state printer, to provide for the election, the term of office and qualification of said officer, and prescribing his duties and declaring that an emergency exists."

Senate bill No. 46, entitled "An act to provide for the state printing and binding, fixing the compensation of the state printer, prescribing his duties, and to provide for the purchase of printing and binding materials, and declare an emergency."

Senate bill No. 49, entitled "An act to provide for the determination of conflicting claims to property, money or indebtedness."

Senate bill No. 80, entitled "An act to amend an act entited 'An act to amend section 2753 of the code of Washington Territory, relating to assessors.'"

Senate bill No 86, entitled "An act relating to the filing and recording of transcripts of judgments rendered in this state by the district or circuit courts of the United States." ELISHA P. FERRY.

The president announced that he had received a communication from the governor, relative to appointments at the Walla Walla penitentiary.

On motion of Senator Owings, the message of the governor was made a special order for 3 o'clock P. M.

VOTE ON VETO MESSAGE.

The veto message of Senate bill No. 87 was taken up on motion of Senator Houghton.

On the question, Shall the bill pass notwithstanding the objections of the governor? the vote was as follows:

Yeas: Fariss, Wilson — 2.

Nays: Austin, Baker, Clough, Drum, Forsyth, Houghton, Hunsaker, Jones, Kinnear, Lawrence, Long, Luce, Owings, Parkinson, Rinehart, Seaborg, Vestal, Watt, Whalley, Wood, Wooding — 21.

Absent or not voting: Fairweather, Guilfoil, Hyde, Kneeland, Landes, Payne, Preston, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Wolfe.

INTRODUCTION OF BILLS.

By Senator Wood: Senate bill No. 200, An act relating to civil actions, and declaring an emergency.

Rules suspended, read first and second time by title, and referred to the Judiciary Committee.

House bill No. 203 was referred to the Committee on Judiciary.

House bill No. 252 was referred to the Committee on Judiciary.

House bill No. 253 was referred to the Committee on Judiciary.

House bill No. 207 was referred to the Committee on Claims.

Senator Austin in the chair.

On motion of Senator Wilson, Senate bill No. 138, Relative to

locomotive engineers, was taken up, amended in section 2 by inserting the word "temperate" instead of "sober;" in section 5, inserting "wilfully" before "violating," read a third time, and passed by the following vote:

Yeas: Austin, Baker, Clough, Forsyth, Houghton, Hunsaker, Jones, Kinnear, Lawrence, Long, Luce, Parkinson, Preston, Rinehart, Seaborg, Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding — 22.

Nays: Fairweather, Fariss — 2.

Absent or not voting: Drum, Guilfoil, Hyde, Kneeland, Landes, Owings, Payne, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten.

President in the chair.

House bill No. 122 was, on motion of Senator Drum, taken up, and, on motion of Senator Houghton, the bill was re-committed to the Judiciary Committee.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he was instructed by the House to inform the Senate that the House has passed House bill No. 230, "An act for the location and removal of county seats," House memorial No. 21, Asking for an appropriation to remove obstructions between Oak Bay and Port Townsend Bay in the State of Washington.

The House has passed Senate concurrent resolution No. 39, Relative to securing the attendance of witnesses before the University Committee; has passed Senate bill No. 125, To provide for laying out county roads, etc., with amendments to sections 9, 48, 15 and 50, and has also passed Senate bill No. 126, To provide for keeping highways in repair, etc., with amendments to sections 1, 5, 7, 16, 18, 19 and the title.

The speaker has signed House bill No. 27, Regulating the practice of surgery, which has passed both houses, been reported correctly enrolled and the same is herewith transmitted to the Senate for the signature of the president.

COMMITTEE REPORT.

MR. PRESIDENT:

Your standing Committee on Corporations have had under consideration House bill No. 222 (substitute for Senate bill No. 67), entitled "An act to authorize corporations owning, leasing or operating lines of rail-

way within this state, to take, acquire, own, negotiate, sell and guarantee stocks and bonds of companies or corporations organized for the purpose of irrigating and reclaiming arid lands," etc., and begs leave to report the same back to the Senate, with the recommendation that it do pass.

N. H. OWINGS, Chairman,
H. E. HOUGHTON,
F. H. LUCE,
W. J. PARKINSON,
C. G. AUSTIN.

THIRD READING OF BILLS.

Senate bill No. 127, reported duly engrossed, was passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Houghton, Hunsaker, Jones, Lawrence, Long, Luce, Owings, Parkinson, Preston, Seaborg, Vestal, Watt, Whalley, Wolfe, Wood, Wooding—23.

Absent or not voting: Guilfoil, Hyde, Kinnear, Kneeland, Landes, Payne, Rinehart, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Wilson.

The president announced that he was about to sign House bill No. 27, Senate bill No. 71, which was done.

Senate bill No. 153, substitute for Senate bill No. 117, relative to chattel mortgages, was taken up.

Senator Fariss moved to indefinitely postpone the bill.

Adopted by the following vote, which was unanimously asked for:

Yeas: Austin, Drum, Fariss, Lawrence, Luce, Owings, Parkinson, Rinehart, Seaborg, Vestal, Whalley, Wilson, Wolfe, Wood —15.

Nays: Baker, Clough, Houghton, Hunsaker, Jones, Kinnear, Preston, Thompson (G. T.), Wooding—9.

Absent or not voting: Fairweather, Forsyth, Guilfoil, Hyde, Kneeland, Landes, Long, Payne, Snow, Thompson (L. F.), Van Houten, Watt.

On motion of Senator Austin, the Senate, at 12 M., took a recess until 1:30 P. M.

AFTER RECESS.

The Senate re-assembled at 1:30 P. M., president in the chair.

All present except Senators Guilfoil, Houghton, Kneeland, Landes and Payne, all of whom were excused.

House bill No. 189, To establish a uniform standard of weights and measures, etc., was taken up. Senator Parkinson in the chair.

Amendments were made to the bill in section 12 by inserting at end, "flax 56 pounds." In section 6, after "fifty cents," "provided that no charge shall be made for testing or sealing weights for counter, gold or apothecaries' scales."

The bill was recommitted to the Committee on Manufactures, with instructions to amend as to a uniform hop box, etc.

SPECIAL ORDER.

House bill No. 147, Relative to a state geologist, was taken up, and passed by the following vote:

Yeas: Austin, Baker, Drum, Fairweather, Fariss, Hunsaker, Jones, Kinnear, Lawrence, Luce, Parkinson, Seaborg, Snow, Thompson (L. F.), Vestal, Watt, Whalley, Wilson, Wood, Wooding—20.

Nays: Forsyth, Long, Owings, Preston, Rinehart, Thompson (G. T.), Wolfe—7.

Absent or not voting: Clough, Guilfoil, Houghton, Hyde, Kneeland, Landes, Payne, Van Houten.

The bill was then laid on the table.

COMMITTEE REPORT.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills begs leave to report, that Senate bill No. 71, entitled "An act relating to the duties of the governor, and fixing the salary, and declaring an emergency," has been carefully compared with the engrossed copy thereof, and found correctly enrolled.

J. M. SNOW, Chairman,
W. V. RINEHART,
J. HUNSAKER,
Members of Committee.

The president announced that he was about to sign Senate bill No. 71, which was done.

On motion of Senator Kinnear, the vote by which the emergency clause of Senate bill No. 146 failed to pass was reconsidered, and the emergency clause passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Forsyth, Hunsaker, Kinnear, Lawrence, Long, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Thompson (L. F.), Vestal, Watt, Whalley, Wolfe, Wood, Wooding—24.

Absent or not voting: Fairweather, Fariss, Guilfoil, Houghton, Hyde, Jones, Kneeland, Landes, Payne, Van Houten, Wilson.

Senator Parkinson in the chair.

Senator L. F. Thompson was excused for the rest of the day.

House bill No. 190 was taken up, An act for the protection of builders; amended by striding out "misdemeanor" and the word "felony" inserted; after "imprisoned" insert "in the penitentiary."

The bill was then passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fariss, Forsyth, Hunsaker, Jones, Kinnear, Lawrence, Long, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding—25.

Absent or not voting: Fairweather, Guilfoil, Houghton, Hyde, Kneeland, Landes, Payne, Thompson (G. T.), Thompson (L. F.), Van Houten.

On motion of Senator Whalley the vote on the bill was reconsidered.

The following section was added to the bill:

Section 2: Whereas there is immediate necessity for the relief of builders, therefore an emergency exists and this act shall be in force from and after the passage and approval by the governor.

After the title was added the words "and declaring an emergency." The bill was then passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fariss, Forsyth, Hunsaker, Jones, Kinnear, Lawrence, Long, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding—25.

Absent or not voting: Fairweather, Guilfoil, Houghton, Hyde, Kneeland, Landes, Payne, Thompson (G. T.), Thompson (L. F.), Van Houten.

The emergency clause was passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fariss, Forsyth, Hunsaker, Jones, Kinnear, Lawrence, Long, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding—25.

Absent or not voting: Fairweather, Guilfoil, Houghton, Hyde, Kneeland, Landes, Payne, Thompson (G. T.), Thompson (L. F.), Van Houten.

Senator Lawrence in the chair.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he was instructed by the House to inform the Senate that the House has refused to recede from its amendments to Senate bill No. 119, in sections 47 and 50, and asks for a committee of conference thereon. The House has appointed as such committee on the part of the House, Messrs. Sharp, Megler, Roteh and Judson (of Pierce).

The House has named Messrs. Geoghegan, Evans, Grant, Browne, Peterson, Rutter and Judson (of Pierce), as a free conference committee on the part of the House on House bill No. 208, In relation to the creating of an additional number of superior judges for Pierce county.

Senate bill No. 149, An act declaring eight hours a legal day's work on all state, county and municipal work, was taken up.

On motion of Senator Long, section 2 was stricken out.

The bill was read a third time, and failed of passage by the following vote:

Yeas: Baker, Jones, Kinnear, Parkinson, Rinehart — 5.

Nays: Austin, Clough, Drum, Fariss, Forsyth, Hunsaker, Lawrence, Long, Luce, Owings, Seaborg, Thompson (G. T.), Vestal, Whalley, Wolfe, Wood, Wooding — 17.

Absent or not voting: Fairweather, Guilfoil, Houghton, Hyde, Kneeland, Landes, Payne, Preston, Snow, Thompson (L. F.), Van Houten, Watt, Wilson.

EXECUTIVE SESSION.

The Senate went into executive session with closed doors, during which Platt A. Preston, Frank W. Paine and Frank Louden were unanimously confirmed as commissioners of the penitentiary at Walla Walla.

The executive session was closed, and the Senate re-assembled.

Senator Parkinson in the chair.

House bill No. 217, To regulate the sale of property by auctioneers, was taken up, amended in sections 1 and 2, and passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Forsyth, Hunsaker, Jones, Long, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Vestal, Whalley, Wilson, Wooding — 19.

Absent or not voting: Fairweather, Fariss, Guilfoil, Houghton,

Hyde, Kinnear, Kneeland, Landes, Lawrence, Payne, Thompson (G. T.), Thompson (L. F.), Van Houten, Watt, Wolfe, Wood.

COMMITTEE REPORT.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills begs leave to report that Senate bill No. 79, entitled "An act authorizing and empqwering cities and towns, organized prior to the adoption of the state constitution, to extend their credit and to fund their indebtedness, and validating certain indebtedness already contracted, and declaring an emergency."

Joint memorial No. 25, Relating to the duties on lead ores, and Senate joint resolution No. 33, Instructions to the Judiciary Committees of both houses, have on this 20th day of February, 1890, been forwarded to his excellency the governor, for his approval.

J. M. SNOW, Chairman,
J. HUNSAKER,
W. V. RINEHART.
Members of the Committee.

Senate bill No. 82, For the release of sureties on official bonds, was taken up.

The committee amendments were adopted, the bill read third time, considered engrossed, and passed by the following vote.

Yeas: Austin, Baker, Clough, Drum, Fariss, Humsaker, Jones, Kinnear, Lawrence, Long, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Van Houten, Wood, Wooding — 19.

Absent or not voting: Fairweather, Forsyth, Guilfoil, Houghton, Hyde, Kneeland, Landes, Luce, Payne, Thompson (G. T.), Thompson (L. F.), Vestal, Watt, Whalley, Wilson, Wolfe.

House bill No. 158, substitute for House bills Nos. 35 and 61, A bill requiring railroads to fence, etc., was taken up.

The committee amendments were adopted except "to strike out section 4."

The bill was then referred to the Committee on Corporations.

On motion of Senator Jones the Senate, at 5:25, adjourned.

MORNING SESSION.

SENATE CHAMBER.
OLYMPIA, WASHINGTON, February 21, 1890.
10 o'clock A. M.

Senate called to order, pursuant to adjournment; the president in the chair.

Roll call; all present but Senators Fairweather, Forsyth, Houghton, Hyde, Kneeland, Lawrence, Payne, Snow, Van Houten and Wooding.

Messrs. Wooding, Snow, Forsyth, Houghton, Hyde, Kneeland, Payne and Van Houten, were excused.

Senator Kinnear in the chair.

Journal of yesterday read and approved.

The president in the chair.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your Committee on Commerce, to whom was referred Senate bill No. 90, have had the same under consideration and respectfully report it back without recommendation.

B. A. SEABORG,
J. HUNSAKER,
J. H. JONES.

MR. PRESIDENT:

Your standing Committee on Claims, to whom was referred House bill No. 207, An act for the relief of H. W. Eagan, would respectfully report that we have considered the same and herewith return the same with the recommendation that the bill do pass.

W. V. RINEHART, Chairman.
J. HUNSAKER,
S. VESTAL.

INTRODUCTION OF BILLS.

By Senator Seaborg: Senate bill No. 201, To protect oysters in the oyster waters of the State of Washington.

Rules suspended, read first and second time by title, and referred to the Committee on Fisheries.

Senate bill No. 125, Relative to county roads, was taken up with House amendments.

The Senate concurred in the amendments by the following vote:

Yeas: Austin, Baker, Clough, Drum, Hunsaker, Jones, Kinnear, Landes, Long, Luce, Owings, Parkinson, Preston, Rinehart, Sea-

borg, Thompson (G. T.), Thompson (L. F.), Vestal, Watt, Whalley, Wilson, Wolfe, Wood—24.

Absent or not voting: Fairweather, Fariss, Forsyth, Guilfoil, Houghton, Hyde, Kneeland, Lawrence, Payne, Snow, Van Houten, Wooding.

The bill was ordered to be enrolled.

Senate bill No. 119, Relative to drains and ditches:

The House having refused to recede from its amendments, Messrs. Long, Watt and Landes were appointed a committee on conference.

House bill No. 230, An act for the removal and location of county seats:

Rules suspended, read first and second time by title, and referred to the Committee on County and County Lines.

House memorial No. 21 was referred to the Committee on Commerce.

Senate concurrent resolution No. 39 was ordered to be enrolled.

Senate bill No. 126, Relative to highways, with House amendments, was read.

The Senate concurred in all of the amendments by the following vote:

Yeas: Austin, Baker, Clough, Drum, Hunsaker, Kinnear, Landes, Long, Luce, Owings, Parkinson, Preston, Seaborg, Thompson (G. T.), Thompson (L. F.), Vestal, Whalley, Wilson, Wolfe, Wood—21.

Nays: Fariss—1.

Absent or not voting: Fairweather, Forsyth, Guilfoil, Houghton, Hyde, Jones, Kneeland, Lawrence, Payne, Rinehart, Snow, Van Houten, Watt, Wooding.

A call of the Senate was unanimously ordered, resulting as follows:

Present: Austin, Baker, Clough, Drum, Fariss, Jones, Kinnear, Landes, Long, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Thompson (G. T.), Thompson (L. F.), Vestal, Whalley, Wilson, Wolfe, Wood—22.

Absent: Fairweather, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Kneeland, Lawrence, Payne, Snow, Van Houten, Watt, Wooding—13.

The doors were closed, and the sergeant-at-arms instructed to bring before the bar of the Senate, Senators Fairweather, Lawrence and Watt, who were absent without leave.

Senator Whalley in the chair.

Senator Watt was brought before the bar of the Senate by the assistant sergeant-at-arms, and on motion, was excused.

Senator Lawrence was also brought before the bar of the Senate by the sergeant-at-arms, and on motion, was excused.

On motion of Senator Kinnear, the further call of the House was dispensed with.

On motion of Senator Kinnear, Senate bill No. 143, To establish a Soldiers' Home, was re-considered, and the bill was put on its passage.

It passed as follows:

Yeas: Austin, Clough, Fariss, Guilfoil, Hunsaker, Jones, Kinnear, Landes, Lawrence, Long, Luce, Parkinson, Rinehart, Seaborg, Thompson (G. T.), Thompson (L. F.), Vestal, Watt, Wolfe, Wood — 20.

Nays: Baker, Drum, Owings, Preston, Whalley, Wilson — 6.

Absent or not voting: Fairweather, Forsyth, Houghton, Hyde, Kneeland, Payne, Snow, Van Houten, Wooding.

Senator Austin was excused for the rest of the day.

COMMITTEE REPORT.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills begs leave to report, that Senate bill No. 185, entitled "An act to provide for extending and enlarging the corporate limits of any city, town or village in this state, and for consolidating and uniting cities, towns and villages, and declaring an emergency," and Senate bill No. 131, entitled "An act to provide for the payment of the debt of the Territory of Washington, and declaring an emergency," has been carefully compared with the engrossed copy thereof, and found correctly enrolled.

W. V. RINEHART, Acting Chairman.
J. HUNSAKER.

The president announced that he was about to sign Senate bill No. 185 and Senate bill No. 131, which was done.

COMMITTEE REPORT.

MR. PRESIDENT:

Your standing Committee on Claims, to whom was referred Senate bill No. 139, An act for the relief of Frank J. Parker, for services as penitentiary commissioner in investigating the jute manufacturing business, would respectfully report that we have carefully considered the same and find that section 12 of the act of February 1, 1888, see Laws of 1887-8, page 167, says: "Each of said commissioners, in consideration of services rendered, shall receive an annual salary of six hundred dollars and

his actual traveling expenses in attending the meetings of said board, and no more."

Section 17 of same act says: "No commissioner shall, directly or indirectly, receive any pay or emoluments for his services except as provided in section 12 of this act." As we are informed and believe, the records of the board of commissioners disclose no order authorizing said trip to be made, nor was any written report of the investigation made by Mr. Parker at San Quentin ever submitted by him to the board, we must conclude, therefore, that the trip charged for in this bill was made without authority of law and without the sanction of the board; and we respectfully report the same back with the recommendation that it be indefinitely postponed.

W. V. RINEHART, Chairman,
J. HUNSAKER,
S. VESTAL.

The report of the committee was adopted.

MR. PRESIDENT:

Your Committee on Claims, to whom was referred Senate bill No. 161, An act for the relief of Frank J. Parker, would respectfully report that we have considered the same, and herewith return the bill with amendment, and recommend its passage as amended.

W. V. RINEHART, Chairman,
S. VESTAL,
J. HUNSAKER.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he had been instructed by the House to inform the Senate that the speaker had signed House bill No. 249, An act for the relief of W. H. Doolittle, et al.

Also, House bill No. 146, An act to create a mining bureau, which have passed both houses and been reported correctly enrolled.

The speaker has signed Senate bill No. 71, An act relating to the duties of the governor, etc., which has been signed by the president.

The House has passed Senate bill No. 107, An act relating to crimes and punishments, etc., but has amended the bill by striking out the emergency section and clause.

Has passed House bill No. 271, An act to provide for the payment of supreme court bailiffs, and has passed the emergency clause.

Has refused to pass Senate bill No. 70, Exempting firemen from jury duty and capitation tax.

Has amended and passed Senate concurrent resolution No. 38, Relative to amendments to the constitution.

Has passed Senate bill No. 105, Authorizing the commissioners of the hospital at Medical Lake to execute a deed, etc., to certain land, and passed the emergency clause.

The House has passed House bill No. 121, An act relating to building, loan and saving associations doing a general business.

The president announced that he was about to sign House bill No. 249 and House bill No. 146, which was done.

Senator Lawrence in the chair.

Senator Preston was excused for the rest of the day.

The president was granted leave of absence for the rest of the day.

Senator Seaborg was granted indefinite leave of absence.

On motion of Senator Wilson, the Senate adjourned, at 11:40 A. M., until Monday, 24th inst., at 11 o'clock.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 24, 1890.
11 o'clock A. M.

Senate met pursuant to adjournment; the president in the chair.

Roll called; all present but Senators Houghton, Hyde, Jones, Kneeland, Lawrence, Owings, Parkinson, Payne, Seaborg, Whalley and Wood, all of whom were excused.

Journal of Friday, 21st, read and approved.

Senators Parkinson, Lawrence, Jones, Wood and Whalley were excused for one day.

Senator Drum in the chair.

COMMITTEE REPORT.

To the President of the Senate:

We, your Committee on State Library, to whom was referred Senate bill No. 135 for amendments, have had the same under consideration, and beg leave to report back, with amendment, and, as amended, recommend its passage.

O. D. GUILFOIL,
P. A. PRESTON,
J. C. LAWRENCE.

INTRODUCTION OF BILLS.

By Senator Landes: Senate bill No. 202, To amend sections 849 and 850 of the Code of Washington, concerning crimes and punishments.

Rules suspended, read first and second time by title, and referred to the Judiciary Committee.

By Senator Baker: Senate bill No. 203, An act making community property subject to the payment of debts or liabilities created or incurred during marriage.

Rules suspended, read first and second time by title, and referred to the Judiciary Committee.

FIRST READING OF BILLS.

Senate bill No. 105 was ordered to be enrolled.

House bill No. 27, Rules suspended, read first and second time by title, and referred to Committee on Salaries and Mileage.

House bill No. 121, Rules suspended, read first and second time by title, and referred to the Committee on Manufactures.

Senate bill No. 107, Relative to crimes and punishments.

On motion of Senator Kinnear, the Senate unanimously concurred in the amendments of the House, and the bill was ordered to be enrolled.

Senate concurrent resolution No. 38, Relative to amendments to constitution.

On motion of Senator Kinnear, the House amendments were concurred in, and the resolution ordered to be enrolled.

House bill No. 49, Relative to declaring certain streets public highways, was, on motion of Senator Landes, taken up.

It passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Forsyth, Guilfoil, Hunsaker, Kinnear, Landes, Long, Luce, Preston, Rinehart, Snow, Thompson (L. F.), Van Houten, Vestal, Watt, Wilson, Wolfe — 21.

Nays: Thompson (G. T.) — 1.

Absent or not voting: Fariss, Houghton, Hyde, Jones, Kneeland, Lawrence, Owings, Parkinson, Payne, Seaborg, Whalley, Wood, Wooding.

House bill No. 191, An act defining the port of Port Townsend, was, on motion of Senator Landes, taken up and passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Forsyth, Guilfoil, Hunsaker, Kinnear, Landes, Long, Luce, Preston, Rinehart, Snow, Thompson (G. T.), Thompson (L. F.), Vestal, Watt, Wilson, Wolfe — 21.

Absent or not voting: Fariss, Houghton, Hyde, Jones, Kneeland, Lawrence, Owings, Parkinson, Payne, Seaborg, Van Houten, Whalley, Wood, Wooding.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared, and announced that he had been instructed by the House to inform the Senate that the House has passed House bill No. 256, An act providing for the organization and government of irrigating districts and the sale of bonds.

Also, House bill No. 95, An act appropriating six thousand dollars for constructing an addition and vault to the state house.

House bill No. 95: Rules suspended, read first and second time by title, and referred to the Committee on Public Buildings and Grounds.

House bill No. 256: Rules suspended, read first and second time by title, and referred to the committee of the whole.

On motion of Senator Luce, House bill No. 147, To create the office of state geologist, was taken up, and the emergency clause failed to pass by the following vote:

Yeas: Austin, Clough, Drum, Fairweather, Fariss, Forsyth, Guilfoil, Hunsaker, Kinnear, Landes, Luce, Snow, Thompson (L. F.), Vestal, Watt, Wilson, Wolfe — 17.

Nays: Baker, Long, Preston, Rinehart, Thompson (G. T.), Van Houten — 6.

Absent or not voting: Houghton, Hyde, Jones, Kneeland, Lawrence, Owings, Parkinson, Payne, Seaborg, Whalley, Wood, Wooding.

On motion of Senator Landes, Senate bill No. 172, Relative to an election for the location of the seat of government, was taken up.

The president in the chair.

The bill was passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Forsyth, Guilfoil, Hunsaker, Kinnear, Landes, Long, Luce, Preston, Rinehart, Snow, Thompson (L. F.), Van Houten, Vestal, Watt, Wilson, Wolfe — 21.

Nays: Thompson (G. T.) — 1.

Absent or not voting: Fariss, Houghton, Hyde, Jones, Kneeland, Lawrence, Owings, Parkinson, Payne, Seaborg, Whalley, Wood, Wooding.

On motion of Senator Rinehart, the Senate took up House bill No. 207, and went into committee of the whole, Senator Hunsaker in the chair.

The committee arose and reported the bill to the Senate (bill for the relief of H. W. Eagan).

It was passed by the following vote:

Ayes: Baker, Clough, Drum, Fairweather, Forsyth, Guilfoil, Hunsaker, Kinnear, Landes, Luce, Preston, Rinehart, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Wilson, Wolfe — 19.

Nays: Long — 1.

Absent or not voting: Austin, Fariss, Houghton, Hyde, Jones, Kneeland, Lawrence, Owings, Parkinson, Payne, Seaborg, Watt, Whalley, Wood, Wooding.

Senate bill No. 175, To amend the code relative to "actions to recover and affecting real estate," was, on motion of Senator Kinnear, taken up.

The bill passed by the following vote:

Yeas: Baker, Clough, Drum, Fairweather, Forsyth, Guilfoil, Hunsaker, Kinnear, Landes, Long, Luce, Preston, Rinehart, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Watt, Wilson, Wolfe — 21.

Absent or not voting: Austin, Fariss, Houghton, Hyde, Jones, Kneeland, Lawrence, Owings, Parkinson, Payne, Seaborg, Whalley, Wood, Wooding.

On motion of Senator Fairweather, Senate bill No. 159 was taken up, and indefinitely postponed.

House bill No. 223, Relative to regulating and fixing the tare on hops, was taken up on motion of Senator Baker, and passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Forsyth, Guilfoil, Hunsaker, Kinnear, Landes, Luce, Preston, Rinehart, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Wilson, Wolfe — 20.

Nays: Long — 1.

Absent or not voting: Fariss, Houghton, Hyde, Jones, Kneeland,

Lawrence, Owings, Parkinson, Payne, Seaborg, Watt, Whalley, Wood, Wooding.

On motion of Senator Vestal, the Senate took a recess, at 12:15, until 2 P. M.

AFTER RECESS.

The Senate re-assembled at 2 P. M.

Absent Senators: Jones, Lawrence, Parkinson, Payne, Seaborg, Whalley and Wood, who were excused.

President in the chair.

On motion of Senator Vestal, House bill No. 229, Relative to booms, logs and timber products, was taken up.

The amendments of the Committee on Harbors and Navigable Waters as to the title and section 9, were agreed to.

The amendment of the committee as to section 8 was agreed to.

The word "either" after the word "Washington," in section 1, was inserted.

The word "meandered" was inserted before the word "rivers," in section 9, and the word "meandered" before "sloughs," in same section.

The bill was, on motion of Senator Kinnear, laid on the table.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he had been instructed by the House to inform you that the speaker has signed Senate bill No. 131, To provide for the payment of the debt of the territory.

Also Senate bill No. 185, An act to provide for extending corporate limits of cities and towns, which have passed both houses and been correctly enrolled.

The House has passed House bill No. 289, An act to appropriate $200 for insurance for the capitol and library.

House bill No. 125 was taken up, Senator Fairweather in the chair. An act to secure creditors a just division of the estates of debtors who convey to assignees for the benefit of creditors.

The bill was amended in sections 8, 13, 15 and 16, read third time and passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Guilfoil, Hunsaker, Hyde, Kinnear, Landes, Luce, Owings, Preston, Rinehart, Snow, Thompson (L. F.), Van Houten, Vestal, Watt, Wilson, Wolfe, Wooding—24.

Nays: Thompson (G. T.) — 1.

Absent or not voting: Houghton, Jones, Kneeland, Lawrence, Long, Parkinson, Payne, Seaborg, Whalley, Wood.

House bill No. 46, Relative to dykes and dams, was taken up.

On motion of Senator Long, section 2 of the bill was stricken out and the bill passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Guilfoil, Hunsaker, Landes, Long, Luce, Snow, Thompson (L. F.), Van Houten, Vestal, Watt, Wooding — 18.

Nays: Hyde, Thompson (G. T.) — 2.

Absent or not voting: Houghton, Jones, Kinnear, Kneeland, Lawrence, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Whalley, Wilson, Wolfe, Wood.

COMMITTEE REPORT.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills beg leave to report, that Senate bill No. 71, entitled "An act relating to the duties of the governor, and fixing the salary, and declaring an emergency," has, on this 24th day of February, 1890, been forwarded to his excellency the governor, for his approval.

J. M. SNOW, Chairman.
W. V. RINEHART,
J. HUNSAKER.
Members of Committee.

House bill No. 117, Relative to licensing of animals kept for breeding purposes for hire, was taken up and passed by the following vote:

Yeas: Baker, Clough, Drum, Fairweather, Forsyth, Guilfoil, Hunsaker, Hyde, Kinnear, Landes, Long, Luce, Owings, Preston, Rinehart, Van Houten, Vestal, Watt, Wilson, Wooding — 20.

Nays: Thompson (G. T.).

Absent or not voting: Austin, Fariss, Houghton, Jones, Kneeland, Lawrence, Parkinson, Payne, Seaborg, Snow, Thompson (L. F.), Whalley, Wolfe, Wood.

The bill was laid on the table.

President in the chair.

Senate bill No. 165, Relative to appropriations of lands, etc., by corporations, was taken up, the amendments recommended by the committee were adopted, the bill read a third time, and passed — yeas 21, nays 0.

Yeas: Austin, Baker, Clough, Drum, Forsyth, Guilfoil, Hunsaker, Hyde, Kinnear, Landes, Luce, Owings, Preston, Rinehart,

Thompson (L. F.), Van Houten, Vestal, Watt, Wilson, Wolfe, Wooding—21.

Absent or not voting: Fairweather, Fariss, Houghton, Jones, Kneeland, Lawrence, Long, Parkinson, Payne, Seaborg, Snow, Thompson (G. T.), Whalley, Wood.

The emergency clause was passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Forsyth, Guilfoil, Humsaker, Hyde, Kinnear, Landes, Luce, Owings, Preston, Rinehart, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Watt, Wilson, Wolfe, Wooding—24.

Absent or not voting: Fariss, Houghton, Jones. Kneeland, Lawrence, Long, Parkinson, Payne, Seaborg, Whalley, Wood.

House bill No. 117, was, on motion of Senator Wilson, taken from the table, and the emergency clause passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Forsyth, Guilfoil, Humsaker, Hyde, Kinnear, Landes, Long, Luce, Owings, Preston, Rinehart, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Watt, Wilson, Wolfe, Wooding—25.

Absent or not voting: Fariss, Houghton, Jones, Kneeland, Lawrence, Parkinson, Payne, Seaborg, Whalley, Wood.

Senate bill No. 121, To provide for compulsory education of defective youth, and providing penalties for violation of the same, was taken up and amended in sections 2, 3 and 4, and passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Forsyth, Guilfoil, Humsaker, Hyde, Kinnear, Landes, Owings, Preston, Snow, Thompson (G. T.), Van Houten, Vestal, Watt, Wilson, Wolfe, Wooding—21.

Nays: Long, Rinehart—2.

Absent or not voting: Fariss, Houghton, Jones, Kneeland, Lawrence, Luce, Parkinson, Payne, Seaborg, Thompson (L. F.), Whalley, Wood.

On motion of Senator Owings, Senate bill No. 133 was taken up, relative to authorizing railroads to construct branches, etc.

Read third time and, by consent, laid over, retaining its place on the calendar after the striking out of all after the word "constitution" in the preamble.

House bill No. 229 was again taken up, on motion of Senator Vestal.

Senator Drum offered a proviso to section 1, which was adopted, and the bill passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Forsyth, Hunsaker, Hyde, Kinnear, Landes, Long, Luce, Owings, Preston, Rinehart, Snow, Thompson (G. T.), Van Houten, Vestal, Watt, Wilson, Wolfe, Wooding — 23.

Nays: Guilfoil.

Absent or not voting: Fariss, Houghton, Jones, Kneeland, Lawrence, Parkinson, Payne, Seaborg, Thompson (L. F.), Whalley, Wood.

On motion of Senator Landes, the Senate, at 4:55 P. M., adjourned until 1:30 P. M. to-morrow.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 25, 1890.
1:30 o'clock P. M.

Senate called to order pursuant to adjournment; president in the chair.

Roll called; all present but Senators Houghton, Jones, Kneeland, Seaborg, Thompson (G. T.) and Wood, all of whom were excused.

On motion of Senator Kinnear, the reading of the journal was dispensed with.

By Senator Long: Senate joint resolution No. 41, Relative to dispensing with certain clerks, was read and adopted.

Senator Lawrence offered the following:

WHEREAS, The attorney-general was invited by the Senate to accompany the tide land committee on its tour of investigation; therefore, be it

Resolved, That the attorney-general of the State of Washington be invited to present his views of the tide land question to the Senate in writing.

The resolution was not adopted by a divisional vote; yeas 8, nays 11.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills beg leave to report that Senate bill No. 105, entitled "An act authorizing the state board of commissioners for the Hospital for the Insane at Medical Lake, in Eastern Washington, to execute and deliver to E. L. Smith a deed to a certain

tract or parcel of land, in exchange for other land, and declaring an emergency to exist," and Senate bill No. 107, entitled "An act relating to crimes and punishments," and Senate concurrent resolution No. 38, Relative to amendments to the constitution of the State of Washington; also, Senate concurrent resolution No. 39, Relative to securing the attendance of witnesses before the Joint Committee on University, have been carefully compared with the engrossed copies thereof, and found correctly enrolled.

J. M. SNOW, Chairman,
W. V. RINEHART,
J. HUNSAKER,
Members of Committee.

The president announced that he was about to sign Senate bill No. 105, Senate bill No. 107, Senate concurrent resolution No. 39 and Senate concurrent resolution No. 38, which was done.

COMMITTEE REPORT.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills begs leave to report that Senate bill No. 131, entitled "An act to provide for the payment of the debt of the Territory of Washington, and declaring an emergency," and Senate bill No. 185, entitled "An act to provide for extending and enlarging the corporate limits of any city, town or village in this state, and for consolidating and uniting cities, towns and villages, and declaring an emergency," have, on this 25th day of February, 1890, been forwarded to his excellency the governor, for his approval.

J. M. SNOW, Chairman,
W. V. RINEHART,
J. HUNSAKER,
Members of Committee.

MR. PRESIDENT:

Your standing Committee on Public Revenue and Taxation, to whom was referred Senate bill No. 44, entitled "An act authorizing and empowering the organized counties of the State of Washington to contract indebtedness, issue bonds for funding the same, and declaring an emergency," after having considered the same, report the bill back with a substitute, Senate bill No. 204, and recommend that the substitute do pass.

H. W. FAIRWEATHER, Chairman,
H. LANDES,
E. T. WILSON,
B. C. VAN HOUTEN,
J. HUNSAKER,
C. T. WOODING,
H. DRUM,
S. VESTAL.

MR. PRESIDENT:

Your standing Committee on Claims, to whom was referred Senate bill No. 66, An act appropriating funds for the state penitentiary, would re-

spectfully report, that we have considered the same, and would recommend that the bill be indefinitely postponed.

W. V. RINEHART, Chairman.
J. HUNSAKER.
S. VESTAL.

The report of the committee was adopted.

FREE CONFERENCE REPORT.

MR. PRESIDENT:

The respective committees of the two houses, appointed to have free conference upon the disagreement between the two houses on the Senate amendment to House bill No. 208, entitled "A bill for an act providing for an additional number of superior court judges, and declaring an emergency to exist," report as follows:

The Committee of Free Conference respectfully recommend that the amendment of the Senate to said bill authorizing two additional judges for Pierce county shall be amended to read as follows:

"*Provided, however*, That one of the said additional superior court judges hereby authorized for the county of Pierce shall be appointed by the governor and hold his office until the next general election, the intent of this act so far as the additional superior court judges for said Pierce county being that one shall be appointed upon the passage of this act, and that two additional superior court judges shall be elected at the general election in 1890, as provided in section 3 of this act."

Your committee beg leave to submit herewith the bill engrossed, exhibiting the amendments agreed upon by both houses, and as herein recommended by the free conference committee, and recommend the passage of said amended bill.

JNO. S. BAKER,
Chairman Senate Free Conference Committee.
ELWOOD EVANS,
For House Committee Free Conference.

The report of the committee and amendments to the bill (House bill No. 208), was agreed to by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Forsyth, Guilfoil, Hunsaker, Hyde, Kinnear, Landes, Lawrence, Owings, Payne, Preston, Rinehart, Snow, Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wolfe—23.

Absent or not voting: Fariss, Houghton, Jones, Kneeland, Long, Luce, Parkinson, Seaborg, Thompson (G. T.), Wilson, Wood, Wooding.

Senator Owings offered the following:

Resolved, That all petitions and memorials praying for the passage of laws creating a soldiers' and sailors' home in this state be spread upon the journal of the Senate.

Adopted.

INTRODUCTION OF BILLS.

By Senator Kinnear: Senate bill No. 205, An act to protect the title of the owners of floating logs and lumber.

Rules suspended, read first and second times by title, and referred to the Committee on Commerce.

House bill No. 289: Rules suspended, read first and second times by title, and referred to the committee of the whole.

On motion of Senator Owings the Senate went into committee of the whole on the above bill.

Senator Rinehart in the chair.

The committee arose and reported the bill to the Senate.

The bill was then read a third time and passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Guilfoil, Hunsaker, Hyde, Kinnear, Landes, Lawrence, Long, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe—27.

Absent or not voting: Houghton, Jones, Kneeland, Seaborg, Snow, Thompson (G. T.), Wood, Wooding.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he was instructed by the House to inform the Senate that the House has concurred in the Senate amendments to House bill No. 46, Amending the laws relating to dikes and dams.

Has concurred in the Senate amendment to House bill No. 229, Regulating the rights of boom companies, etc.

Has also concurred in the Senate amendments to House bill No. 125, An act securing to creditors a just division of the estate of debtors, etc., and has ordered their enrollment.

The House has concurred in the Senate amendments to House bill No. 190, An act for the protection of builders.

Has concurred in the amendments made in the Senate to House bill No. 217, Regulating the sale of property by auctioneers.

Has also concurred in the amendment made to House bill No. 147, To create the office of state geologist.

The House has passed Senate bill No. 100, An act requiring all transportation companies to promptly forward freight, etc.

Has passed Senate bill No. 127, An act for laying out, opening

and building turnpike roads, etc., with amendments to sections 8, 9, 11 and 12.

The House has passed House concurrent resolution No. 30, In relation to appointing a special committee on final adjournment.

Senator Lawrence in the chair.

SPECIAL ORDER.

Senate bill No. 148, To establish a normal school at Lynden, etc., was taken up.

The amendments of the committee were agreed to in sections 5, 7 and 8.

Senator Payne offered the following: "Strike out 'Lynden' and 'Whatcom' wherever it occurs and insert 'Bay View' and 'Skagit' wherever they occur."

Adopted by a divisional vote; yeas 10, nays 8.

Senator Drum offered the following, which was not adopted by a divisional vote; yeas 10, nays 11:

Provided, There shall be no money appropriated out of the treasury of the state for the support of these institutions until the land appropriated by congress for this purpose shall become available.

President in the chair.

The bill was read a third time, and failed to pass by the following vote:

Yeas: Austin, Clough, Drum, Fariss, Forsyth, Guilfoil, Kinnear, Lawrence, Payne, Snow, Thompson (L. F.), Van Houten, Watt, Whalley, Wilson — 16.

Nays: Baker, Fairweather, Hunsaker, Hyde, Landes, Long, Parkinson, Preston, Rinehart, Vestal, Wolfe, Wooding — 12.

Absent or not voting: Houghton, Jones, Kneeland, Luce, Owings, Seaborg, Thompson (G. T.), Wood.

Senator Long gave notice of a motion to reconsider.

On motion of Senator Wilson, Senate bill No. 12, To establish a normal school at Ellensburgh, was taken up and passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fariss, Forsyth, Hunsaker, Kinnear, Landes, Lawrence, Long, Luce, Owings, Parkinson, Payne, Rinehart, Snow, Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson, Wooding — 24.

Nays: Hyde, Preston, Wolfe — 3.

Absent or not voting: Fairweather, Guilfoil, Houghton, Jones, Kneeland, Seaborg, Thompson (G. T.), Wood.

President in the chair.

Senate bill No. 133 was then, on motion of Senator Owings, taken up.

Amendments offered by Senator Kinnear to sections 2 and 4 were adopted and the bill considered engrossed and passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Guilfoil, Hunsaker, Kinnear, Landes, Luce, Owings, Parkinson, Payne, Rinehart, Snow, Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson, Wooding — 24.

Absent or not voting: Houghton, Hyde, Jones, Kneeland, Lawrence, Long, Preston, Seaborg, Thompson (G. T.), Wolfe, Wood.

On motion of Senator Drum, House bill No. 162, Relative to the insane asylums, was taken up.

Amendments offered to sections 17 and 38 by Senator Drum were adopted.

Sections 42 and 43 were amended.

On motion of Senator Owings, the salary of the steward and accountant was made $1,200 per year.

Senator Hyde moved to amend section 42 and make the salary of the superintendent $2,200.

The yeas and nays were called for by Senators Owings, Baker, Long, Landes, Whalley, Vestal, and the amendment was agreed to by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Fariss, Hunsaker, Hyde, Kinnear, Landes, Lawrence, Luce, Parkinson, Preston, Thompson (L. F.), Van Houten — 16.

Nays: Forsyth, Guilfoil, Long, Owings, Payne, Rinehart, Snow, Vestal, Watt, Whalley, Wilson, Wolfe, Wooding — 13.

Absent or not voting: Houghton, Jones, Kneeland, Seaborg, Thompson (G. T.), Wood.

On motion of Senator Whalley, the words "the accountant" were inserted after "assistant physician," and the words "and the steward and accountant" stricken out after the words "for one."

The bill was then passed by the following vote:

Yeas: Austin, Clough, Drum, Fairweather, Forsyth, Guilfoil, Hunsaker, Hyde, Kinnear, Landes, Lawrence, Long, Luce, Owings,

Parkinson, Preston, Rinehart, Snow, Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wooding—25.

Absent or not voting: Baker, Fariss, Houghton, Jones, Kneeland, Payne, Seaborg, Thompson (G. T.), Thompson (L. F.), Wood.

COMMITTEE REPORT.

Senator Fairweather offered the following (by consent):

MR. PRESIDENT:

Your standing Committee on Revenue and Taxation, to whom was referred Senate bill No. 83, An act relating to the duties of state auditor, providing for his salary and assistants, having had the same under consideration, report the bill back with a substitute therefor, and recommend that the substitute do pass.

H. W. FAIRWEATHER,
H. LANDES,
J. H. LONG,
S. VESTAL,
J. HUNSAKER,
C. T. WOODING,
E. T. WILSON,
B. C. VAN HOUTEN,
H. DRUM.

The bill was placed on file.

On motion of Senator Fairweather, House bill No. 130 was taken up, and the history of the bill read.

On motion of Senator Fairweather, the bill was ordered to be returned to the House for correction of history of bill, and a request that the original bill be produced.

Senate bill No. 129, Relative to leasing school lands, was taken up, read a third time, and laid upon the table.

On motion of Senator Whalley, Senate concurrent resolution No. 25 was taken from the table, read third time, and on motion of Senator Whalley, laid on the table.

The Senate then, at 5:55 P. M., on motion of Senator Hyde, adjourned.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 26, 1890.
10 o'clock A. M.

Senate called to order pursuant to adjournment; president in the chair.

Roll call; all the members present but Senators Houghton, Jones, Kneeland, Seaborg, G. T. Thompson and Watt, all of whom were excused.

A petition was presented by Senator Van Houten from citizens of Colville, and a petition by Senator Luce from citizens of Davenport, relative to the recent decision of the supreme court in declaring the territorial charter law for towns unconstitutional, and asking relief so that the public moneys in said towns could be disposed of.

On motion of Senator Luce, the petitions were referred to a special committee of five to bring before the Senate a bill on the subject.

The following named Senators were appointed: Luce, Wooding, L. F. Thompson, Wilson and Parkinson.

Senator Van Houten presented a petition from citizens of Rock Creek, asking the Senate to pass the bill known as the Feighan trust bill.

Referred to Committee on Agriculture.

COMMITTEE REPORTS.

MR PRESIDENT:

Your Committee on Military, to whom was referred House bill No. 180, entitled "An act to authorize the issuance of arms to camps of the order of Sons of Veterans," begs leave to report that they have had the same under consideration and respectfully return it to the Senate with the recommendation that it do pass

HENRY LANDES, Chairman,
H. W. FAIRWEATHER.

FIRST READING OF BILLS.

House concurrent resolution No. 30, To appoint a joint committee relative to adjournment, was adopted.

Senate bill No. 100, was ordered to be enrolled.

THIRD READING OF BILLS.

On motion of Senator Van Houten, Senate bill No. 129, To lease school lands, was taken up and amended in sections 2, 8, 12, 13, 15 and 22, and recommitted to the committee on motion of Senator Drum.

Senator Kinnear in the chair.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared, and announced that he had been instructed by the House to inform the Senate that the House had passed House bill No. 150, Relating to the location of mill sites, etc.

Also, House bill No. 151, An act to secure persons and animals from danger arising from mining.

Has passed House bill No. 165, An act protecting the wages of laborers and operatives, without the emergency clause.

Has passed House bill No. 281, a substitute for House bill No. 266, An act to provide for the government of cities of more than 20,000 inhabitants.

Has indefinitely postponed Senate bill No. 64, An act relating to fire escapes.

Has adopted the report of the free conference committee on House bill No. 208, and passed the engrossed bill and ordered it enrolled.

The House had passed Senate bill No. 187, An act providing for printing and distributing ballots at public expense, with amendments to sections 1, 6, 12, 16 and 35.

Has also passed Senate bill No. 143, An act to provide for a soldiers' home, etc., with an amendment to section 4.

On motion of Senator Owings, the secretary was authorized to correct a clerical error in Senate bill No. 126, section 10, changing the word "therefor" to "thereof," which was done.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your Committee on Education, to whom was referred House bill No. 25, have had the same under consideration, and report the same back with a recommendation that it do pass.

J. C. LAWRENCE,
HENRY DRUM,
W. J. PARKINSON,
Committee.

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, February 25, 1890.

To the Honorable President of the Senate:

I have this day signed and approved Senate bill No. 71, entitled "An act relating to the duties of the governor, and fixing the salary, and declaring an emergency."

ELISHA P. FERRY.

Senate bill No. 108, To amend section 2479 of the Code of Washington, relative to foreign corporations, was taken up, the amendment of the committee was adopted, the bill read a third time, and passed by the following vote.

Yeas: Austin, Baker, Clough, Drum, Fairweather, Forsyth, Hunsaker, Kinnear, Landes, Long, Luce, Owings, Parkinson, Preston, Rinehart, Thompson (L. F.), Vestal, Whalley, Wilson, Wolfe, Wood, Wooding—22.

Absent or not voting: Fariss, Guilfoil, Houghton, Hyde, Jones, Kneeland, Lawrence, Payne, Seaborg, Snow, Thompson (G. T.), Van Houten, Watt.

House bill No. 33, Relative to registering marks and brands on cattle, was taken up, the committee amendments adopted, section 4 (the emergency clause) stricken out, and the bill, on motion of Senator Wilson, was indefinitely postponed.

House bill No. 254, Fixing the salary of the clerk of the supreme court, etc., was taken up, read a third time, and passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Forsyth, Guilfoil, Hunsaker, Hyde, Kinnear, Landes, Long, Luce, Owings, Preston, Rinehart, Snow, Thompson (L. F.), Vestal, Whalley, Wilson, Wolfe, Wood, Wooding—23.

Absent or not voting: Fairweather, Fariss, Houghton, Jones, Kneeland, Lawrence, Parkinson, Payne, Seaborg, Thompson (G. T.), Van Houten, Watt.

The emergency clause was then passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Forsyth, Guilfoil, Hunsaker, Hyde, Kinnear, Landes, Lawrence, Long, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Snow, Thompson (L. F.), Van Houten, Vestal, Whalley, Wilson, Wolfe, Wood, Wooding—27.

Absent or not voting: Fairweather, Fariss, Houghton, Jones Kneeland, Seaborg, Thompson (G. T.), Watt.

On motion of Senator Rinehart, the Senate went into committee of the whole on Senate bill No. 188, Senate bill No. 176, Senate bill No. 151, Senate bill No. 161, and House bill No. 256.

Senators Rinehart and Parkinson in the chair.

The committee arose and reported the bills to the Senate with the following action:

President in the chair.

Senate bill No. 188 was made a special order for 10:30 A. M., Thursday morning, 27th February.

Senate bill No. 176 was indefinitely postponed.

Senate bill No. 151, Senate bill No. 161, and Senate bill No. 256 were placed on general file.

On motion of Senator Wilson, the Senate took a recess until 2 o'clock P. M.

AFTER RECESS.

The Senate re-assembled at 2 P. M.

President in the chair.

All present but Senators Fairweather, Fariss, Houghton, Jones, Seaborg, Thompson (G. T.), who were excused.

The president announced the appointment of the following committee on House concurrent resolution No. 30, Relative to adjournment: Fairweather, Kinnear, Van Houten, Clough, Wooding.

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, February 26th, 1890.

To the Honorable President of the Senate:

I have this day signed and approved:

Senate bill No. 79, entitled "An act authorizing and empowering cities and towns, organized prior to the adoption of the state constitution, to extend their credit and to fund their indebtedness, and validating certain indebtedness already contracted, and declaring an emergency to exist."

Senate bill No. 131, entitled "An act to provide for the payment of the debt of the Territory of Washington, and declaring an emergency."

Senate bill No. 185, entitled "An act to provide for extending and enlarging the corporate limits of any city, town or village in this state, and for consolidating and uniting cities, towns and villages, and declaring an emergency."

ELISHA P. FERRY.

Senate bill No. 194 was taken up, read third time, and on motion of Senator Kinnear, re-referred to the Committee on Judiciary.

CONFERENCE COMMITTEE REPORT.

MR. PRESIDENT:

Your committee of conference on House amendments to Senate bill No. 119, An act to provide for the construction, repairing and protection of drains and ditches, etc., have agreed to a substitute for section 50, stricken out by the House; also, a substitute for the provision added to section 47 by the House, and recommend their adoption.

J. H. LONG,
Chairman Senate Committee.
STEPHEN JUDSON,
Chairman House Committee.

The report of the conference committee and the amendments reported by the committee to the bill were adopted by the following vote:

Yeas: Drum, Forsyth, Guilfoil, Hunsaker, Kinnear, Kneeland, Landes, Long, Owings, Parkinson, Rinehart, Snow, Thompson (L. F.), Van Houten, Watt, Whalley, Wilson, Wolfe, Wood, Wooding — 20.

Absent or not voting: Austin, Baker, Clough, Fairweather, Fariss, Houghton, Hyde, Jones, Lawrence, Luce, Payne, Preston, Seaborg, Thompson (G. T.), Vestal.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared, and announced that he was instructed by the House to inform the Senate that the speaker has signed Senate concurrent resolution No. 39, Relative to securing the attendance of witnesses before the University Committee.

Senate bill No. 107, An act relating to crimes and punishments.

Senate bill No. 105, Authorizing the commissioners of the Medical Lake hospital to execute a deed, which have been signed by the president.

The speaker has signed House bill No. 191, An act defining the port of Port Townsend, and House bill No. 190, An act for the protection of builders, which have passed both houses, and been reported correctly enrolled.

The speaker has signed House bill No. 160, Providing for the use of water for irrigation purposes, which has passed both houses, and been reported correctly engrossed.

The speaker has signed Senate concurrent resolution No. 38, In relation to the proposed amendments to the state constitution, which has been signed by the president.

Senator Owings was excused for the rest of the day.

On motion of Senator Wilson, House bill No. 256, Relative to irrigating ditches, was taken up, and read third time.

Senators Parkinson and Guilfoil in the chair.

The bill was amended in section 16, read third time, and passed by the following vote:

Yeas: Austin, Clough, Drum, Forsyth, Guilfoil, Hunsaker, Hyde, Kinnear, Kneeland, Lawrence, Long, Luce, Parkinson, Payne, Preston, Rinehart, Snow, Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding — 26.

Absent or not voting: Baker, Fairweather, Fariss, Houghton, Jones, Landes, Owings, Seaborg, Thompson (G. T.).

The emergency clause was passed by the following vote:

Yeas: Austin, Clough, Drum, Forsyth, Guilfoil, Hunsaker, Hyde, Kinnear, Kneeland, Lawrence, Long, Luce, Parkinson, Payne, Preston, Rinehart, Snow, Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding — 26.

Absent or not voting: Baker, Fairweather, Fariss, Houghton, Jones, Landes, Owings, Seaborg, Thompson (G. T.).

Senator Whalley offered the following resolution which, on motion of Senator Wilson, was laid on the table:

Resolved, That as the attorney-general was invited by the Senate to accompany the Tide Lands Committee on its tour of investigation, he be invited to present his views on the tide lands question in writing to the Senate.

The president in the chair.

Senate bill No. 194, was again reported by the Judiciary Committee with an amendment to the title, to strike out the words "for revision," which amendment was adopted, and the bill passed by the following vote:

Yeas: Austin, Drum, Forsyth, Guilfoil, Hunsaker, Kinnear, Kneeland, Landes, Lawrence, Long, Luce, Parkinson, Payne, Preston, Rinehart, Thompson (L. F.), Van Houten, Watt, Whalley, Wolfe, Wood, Wooding — 22.

Absent or not voting: Baker, Clough, Fairweather, Fariss, Houghton, Hyde, Jones, Owings, Seaborg, Snow, Thompson (G. T.), Vestal, Wilson.

Senator Parkinson moved to take up House bill No. 185.

On motion of Senator Drum the bill was laid on the table.

On motion of Senator Kinnear Senate bill No. 170, Senate bill

No. 150, and Senate bill No. 189, Relative to community property, were laid on the table.

Senate bill No. 169 was taken up.

The report of the committee was not adopted; the bill read a third time, amended in section 1 by striking out "or the husband or wife have not joined each other in the conveyance or encumbrance of community property."

The bill was then passed by the following vote:

Yeas: Austin, Drum, Houghton, Hunsaker, Hyde, Kneeland, Lawrence, Long, Luce, Parkinson, Payne, Preston, Snow, Van Houten, Watt, Wilson, Wood, Wooding — 18.

Nays: Forsyth, Kinnear, Landes, Rinehart, Vestal, Whalley, Wolfe — 7.

Absent or not voting: Baker, Clough, Fairweather, Fariss, Guilfoil, Jones, Owings, Seaborg, Thompson (G. T.), Thompson (L. F.).

The president announced that he was about to sign House bills Nos. 190, 191 and 160, which was done.

Senate bill No. 107, Senate concurrent resolutions Nos. 38 and 39, and Senate bill No. 105, reported signed by the speaker and president, were ordered to be sent to the Enrolling Committee, to be forwarded to the governor.

On motion of Senator Lawrence, the Senate, at 5 P. M., adjourned.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 27, 1890.
10 o'clock A. M.

Senate called to order pursuant to adjournment, the president in the chair.

All present but Senators Baker, Clough, Drum, Fairweather, Fariss, Guilfoil, Houghton, Hyde, Jones, Kneeland, Landes, Lawrence, Luce, Owings, Parkinson, Payne, Preston, Seaborg, Snow, Thompson (G. T.), Van Houten, Wood, Wooding — 23.

No quorum present.

On motion of Senator Wilson, a recess of ten minutes was taken.

At 10:10 A. M. the Senate was again called to order, president in the chair.

Roll called; all present but Senators Baker, Jones, Owings and Seaborg, who were excused.

On motion of Senator Rinehart, the reading of the journal of the previous day was dispensed with.

Senator Long moved that the vote by which Senate bill No. 148, To locate normal school, was lost, be reconsidered, and that the bill be re-committed to a committee of one to amend.

Adopted.

Senator Long then presented a substitute for Senate bill No. 148, To locate a normal school in Lewis county, and the bill was laid on the table.

Senator Parkinson presented a petition from citizens of Whatcom county for the passage of a soldiers' home bill.

Ordered to be spread on the journal.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 200, entitled "An act relating to civil actions, and declaring an emergency," have had the same under consideration, and now respectfully report the same back to the Senate with the recommendation that the same be indefinitely postponed. Respectfully submitted,

J. R. KINNEAR, Chairman.

Report concurred in by Senators Whalley, Wood and Baker, being all the members of said committee present.

The report was adopted.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred House bill No. 179, entitled "An act to exempt pension money from levy and attachment for debt," have had the same under consideration, and now respectfully report the same back to the Senate with the recommendation that the bill pass. Respectfully submitted, J. R. KINNEAR, Chairman.

Report concurred in by Senators Wood, Whalley and Baker, being all of the said committee present.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 191, entitled "An act relating to instructions to juries, and exceptions thereto, in superior courts," have had the same under consideration, and now respectfully report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

Respectfully submitted, J. R. KINNEAR, Chairman.

Report concurred in by Senators Whalley, Wood and Baker, being all the members of said committee present.

The report was adopted.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 196, entitled "An act relative to the recording of cash and final receipts and certificates of United States registers and receivers," have had the same under consideration and now respectfully report the same back to the Senate with the recommendation that the bill pass.

Your Committee on Judiciary, to whom was referred House bill No. 252, entitled "An act correcting omissions of attesting witnesses in deeds, mortgages and other instruments of writing," have had the same under consideration and now respectfully report the same back to the Senate with the recommendation that the bill pass.

Respectfully submitted, J. R. KINNEAR, Chairman.

Report concurred in by Senators Wood, Whalley and Baker, being all the members of said committee present.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred House bill No. 203, entitled "An act correcting informalities of record in the establishment of the various public roads and highways in this state," have had the same under consideration, and now respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted,

J. R. KINNEAR, Chairman.

Report concurred in by Senators Wood, Whalley and Baker, being all the members of said committee present.

The report of the committee was adopted.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred House bill No. 257, entitled "An act for the protection of hotel, inn, lodging house and boarding house keepers," have had the same under consideration, and now respectfully report the same back to the Senate with the recommendation that the bill pass.

Your Committee on Judiciary, to whom was referred Senate bill No. 202, entitled "An act to amend sections 849 and 850 of the Code of Washington, concerning crimes and punishments," have had the same under consideration, and now respectfully report the same back to the Senate, with the recommendation that the bill pass.

Your Committee on Judiciary, to whom was referred House bill No. 29, entitled "A bill for an act to define and punish trespass," have had the same under consideration, and now respectfully report the same back to the Senate without recommendation.

Respectfully submitted, J. R. KINNEAR, Chairman.

Report concurred in by Senators Whalley, Wood, and Baker, being all the members of said committee present.

To the President of the Senate:

We, your Committee on Education, to whom was referred House bill No. 182 and Senate bill No. 47 have had the same under consideration, and report the same back to the Senate without amendment.

J. C. LAWRENCE,
W. J. PARKINSON,
HENRY DRUM.

Senate bill No. 127 was read.

The House amendments were concurred in by the following vote:

Yeas: Austin, Clough, Drum, Fairweather, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Kneeland, Landes, Lawrence, Long, Luce, Parkinson, Payne, Preston, Rinehart, Snow, Thompson (G. T.), Van Houten, Vestal, Whalley, Wilson, Wolfe, Wood, Wooding — 28.

Absent or not voting: Baker, Jones, Kinnear, Owings, Seaborg, Thompson (L. F.), Watt.

On motion of Senator Long, Senate bill No. 188 (special order) was taken up, and placed on file.

On motion of Senator Long, Senate bill No. 149 (substitute), was taken up and passed by the following vote:

Yeas: Austin, Clough, Drum, Fariss, Guilfoil, Hunsaker, Kneeland, Landes, Lawrence, Long, Parkinson, Payne, Rinehart, Snow, Van Houten, Watt, Whalley, Wilson, Wooding — 19.

Nays: Fairweather, Forsyth, Houghton, Hyde, Luce, Preston, Thompson (G. T.), Vestal, Wolfe, Wood — 10.

Absent or not voting: Baker, Jones, Kinnear, Owings, Seaborg, Thompson (L. F.).

President pro tem. Parkinson in the chair.

House bill No. 150, Relative to mill sites for milling and reducing ores: Rules suspended, read first and second time and referred to the Committee on Mines and Mining.

House bill No. 151, To secure persons and animals from dangers in mines: Rules suspended, read first and second time by title and referred to the Committee on Mines and Mining.

House bill No. 165, Protecting wages of laborers and operatives: Rules suspended, read first and second time by title and referred to the Committee on Labor and Labor Statistics.

House bill No. 281 was, on motion of Senator Drum, placed on general file.

Senate bill No. 187 was read with House amendments. The

amendments were unanimously concurred in and the bill ordered to be enrolled.

Senate bill No. 143 was read with a House amendment to section 4.

On the question, Shall the Senate concur in the House amendment? the vote was as follows:

Yeas: Austin, Fairweather, Guilfoil, Hunsaker, Kinnear, Lawrence, Parkinson, Preston, Rinehart, Snow, Thompson (G. T.), Thompson (L. F.), Vestal, Wolfe, Wood, Wooding — 16.

Nays: Drum, Forsyth, Houghton, Watt, Wilson — 5.

Absent or not voting: Baker, Clough, Fariss, Hyde, Jones, Kneeland, Landes, Long, Luce, Owings, Payne, Seaborg, Van Houten, Whalley.

Not adopted.

Senator Fariss moved that the vote by which the amendment was lost be re-considered.

The divisional vote was, yeas 14, nays 11, which the chair declared carried.

On motion of Senator Fairweather the Senate, at 11:45, took a recess until 1:30 P. M.

AFTER RECESS.

President in the chair.

Roll called; all present but Senators Jones, Owings and Seaborg.

On the question, Shall the House amendment to Senate bill No. 143 be concurred in? the Senate failed to concur by the following vote:

Yeas: Austin, Clough, Guilfoil, Hunsaker, Kinnear, Payne, Rinehart, Van Houten, Watt, Wilson, Wolfe, Wooding — 12.

Nays: Baker, Drum, Fairweather, Forsyth, Houghton, Luce, Parkinson, Preston, Vestal, Whalley, Wood — 10.

Absent or not voting: Fariss, Hyde, Jones, Kneeland, Landes, Lawrence, Long, Owings, Seaborg, Snow, Thompson (G. T.), Thompson (L. F.).

On motion of Senator Drum, House bill No. 203 was placed on general file.

On motion of Senator Vestal, Senate bill No. 115 was laid on the table.

House bill No. 211, Relating to transcripts of judgments of

justices' courts, was taken up, the emergency clause stricken out, read third time and passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Guilfoil, Houghton, Humsaker, Luce, Parkinson, Payne, Preston, Rinehart, Snow, Vestal, Watt, Wolfe, Wood, Wooding —21.

Absent or not voting: Hyde, Jones, Kinnear, Kneeland, Landes, Lawrence, Long, Owings, Seaborg, Thompson (G. T.), Thompson (L. F.), Van Houten, Whalley, Wilson.

Senate bill No. 147 was then taken up, and read third time.

SPECIAL ORDER.

Senate bills Nos. 178 and 184, Relative to tide lands, were taken up, at 2:30 P. M.

On motion of Senator Austin, Senate bill No. 178 was made a further special order for Tuesday, March 4th, at 2 P. M.

Senate bill No. 147, Relative to obstruction of highways, was read a third time, amended in sections 6 and 13, and passed by the following vote:

Yeas: Austin, Baker, Clough, Forsyth, Guilfoil, Houghton, Hyde, Kinnear, Kneeland, Long, Luce, Parkinson, Payne, Preston, Rinehart, Snow, Vestal, Watt, Whalley, Wolfe, Wood, Wooding — 22.

Nays: Landes — 1.

Absent or not voting: Drum, Fairweather, Fariss, Humsaker, Jones, Lawrence, Owings, Seaborg, Thompson (G. T.), Thompson (L. F.), Van Houten, Wilson.

Senate bill No. 184, Relative to tide lands and the United States government, was taken up, read third time, and passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Forsyth, Guilfoil, Houghton, Humsaker, Hyde, Kinnear, Kneeland, Landes, Lawrence, Long, Luce, Parkinson, Payne, Preston, Rinehart, Snow, Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding — 27.

Absent or not voting: Fairweather, Fariss, Jones, Owings, Seaborg, Thompson (G. T.), Thompson (L. F.), Van Houten.

Senator Parkinson moved to take up House bill No. 25.

Lost.

Senator Lawrence was excused for the rest of the afternoon.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he had been instructed by the House to inform the Senate that the speaker has signed House bill No. 49, An act declaring certain streets in incorporated cities public highways, etc.

Also, House bill No. 147, An act to create the office of state geologist, etc., which have passed both houses, and been reported correctly enrolled.

The speaker has signed House bill No. 254, An act fixing the salary of the clerk of the supreme court.

Also, House bill No. 46, An act amending the laws of the Territory of Washington in relation to dykes and dams, which have passed both houses, and been correctly enrolled.

The speaker has signed House bill No. 217, An act to regulate the sale of property by auctioneers.

Also, House bill No. 207, An act for the relief of H. W. Eagan.

Also, House bill No. 117, An act to repeal certain laws of the Territory of Washington relating to animals kept for breeding purpurposes, etc.

All of which have passed both houses, and been correctly enrolled.

The president announced that he was about to sign House bill No. 49, House bill No. 147, House bill No. 254, House bill No. 46, House bill No. 217 and House bill No. 207, which was done.

Senator Kinnear in the chair.

Senator Parkinson moved to take up House bill No. 185, To authorize county commissioners to issue bonds.

President in the chair.

The bill was amended in sections 2 and 6, and a new section added, section 9.

The bill was then passed by the following vote:

Yeas: Austin, Baker, Clough, Fariss, Forsyth, Guilfoil, Hunsaker, Kneeland, Landes, Long, Luce, Parkinson, Payne, Preston, Rinehart, Snow, Vestal, Watt, Whalley, Wilson, Wood — 21.

Nays: Drum, Houghton, Hyde, Kinnear, Wooding — 5.

Absent or not voting: Fairweather, Jones, Lawrence, Owings, Seaborg, Thompson (G. T.), Thompson (L. F.), Van Houten, Wolfe.

On motion of Senator Wood, the bill was laid on the table.

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, February 27, 1890.

To the President of the Senate:

I have this day signed and approved Senate bill No. 105, entitled "An act authorizing the State Board of Commissioners for the Hospital for the Insane at Medical Lake in Eastern Washington to execute and deliver to E. L. Smith a deed to a certain tract or parcel of land in exchange for other land, and declaring an emergency to exist."

Senate bill No. 107, entitled "An act relating to crimes and punishments."

ELISHA P. FERRY.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 177, entitled "An act to amend chapter CXXIV of the general laws of Washington, entitled 'An act prescribing rules and regulations for the execution of the trust arising under the act of congress, entitled "An act for the relief of the inhabitants of cities and towns upon public lands," approved March 1, 1867,' approved January 31, 1888," have had the same under consideration, and now respectfully report the same back to the Senate with the following amendment, and as amended report the bill back without recommendation:

First amendment: In the first line of the title of said act, after the words "to amend," insert the words "section 3 of."

Your Committee on Judiciary, to whom was referred Senate bill No. 203, entitled "An act making community property subject to the payment of debts, or liabilities created or incurred during marriage," have had the same under consideration, and now respectfully report the same back to the Senate with the following amendment, and recommend the passage of the bill as amended:

First amendment: After the word "marriage," in the 5th line of the 1st section of said act, insert the following:

"*Provided, however*, If any such debts or liabilities are the separate debts or liabilities of either spouse, and either spouse has filed in the county auditor's office of the county in which the community lands are situated, a notice or declaration of the community interest in such lands, the interest only of the spouse against which the debt or liability exists shall be liable to levy and sale on execution, and when sold the purchaser and the spouse whose interest has not been sold shall hold and own such lands as tenants in common: *And further provided*, That all real and personal property now or hereafter by law exempt from execution and sale to either or both of said spouses, shall not be affected by this act."

Respectfully submitted,

J. R. KINNEAR, Chairman.

Report concurred in by Senators Wood, Whalley and Baker, being all of said committee present.

Senator Rinehart in the chair.

House bill No. 222, Relative to railways and bonds, etc., was read third time and passed by the following vote:

Yeas: Austin, Baker, Clough, Forsyth, Guilfoil, Houghton, Hunsaker, Kneeland, Landes, Long, Luce, Parkinson, Preston, Rinehart, Snow, Van Houten, Whalley, Wilson, Wood, Wooding—20.

Absent or not voting: Drum, Fairweather, Fariss, Hyde, Jones, Kinnear, Lawrence, Owings, Payne, Seaborg, Thompson (G. T.), Thompson (L. F.), Vestal, Watt, Wolfe.

Senate bill No. 98 was, on motion of Senator Whalley, laid on the table.

Senate bill No, 195, An act to amend section 389, chapter XXXVI, of the Code of Washington Territory, relating to witnesses and evidence, was read a third time and passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Kinnear, Kneeland, Landes, Luce, Preston, Rinehart, Snow, Vestal, Watt, Whalley, Wood, Wooding—21.

Absent or not voting: Fairweather, Fariss, Jones, Lawrence, Long, Owings, Parkinson, Payne, Seaborg, Thompson (G. T.), Thompson (L. F.), Van Houten, Wilson, Wolfe.

Senate bill No. 135, Relative to state library, was taken up and amended in accordance with recommendations of the committee. Section 22 was amended by striking out $1,200 and inserting $1,000.

The bill, on motion of Senator Kinnear, was considered engrossed and placed on its final passage.

The bill passed as follows:

Yeas: Austin, Baker, Clough, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Kinnear, Kneeland, Long, Payne, Preston, Rinehart, Snow, Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding—22.

Nays: Drum.

Absent or not voting: Fairweather, Fariss, Jones, Landes, Lawrence, Luce, Owings, Parkinson, Seaborg, Thompson (G. T.), Thompson (L. F.), Van Houten.

Senator Houghton moved to lay the bill on the table.

Adopted.

On motion of Senator Luce, Senate bill No. 95, To create a board of capitol commissioners, was taken up.

Senator Drum in the chair.

Amendments were made to section 3, and section 5 was stricken out.

Senator Long moved to indefinitely postpone the bill, and in this the yeas and nays were unanimously asked for.

The motion was rejected as follows:

Yeas: Forsyth, Hunsaker, Kinnear, Long, Rinehart, Vestal, Wolfe — 7.

Nays· Austin, Baker, Drum, Fairweather, Fariss, Guilfoil, Houghton, Hyde, Kneeland, Luce, Parkinson, Preston, Seaborg, Thompson (G. T.), Watt, Whalley, Wilson, Wood, Wooding — 19.

Absent or not voting: Clough, Jones, Landes, Lawrence, Owings, Payne, Snow, Thompson (L. F.), Van Houten.

The bill was then passed by the following vote:

Yeas: Austin, Baker, Drum, Fairweather, Fariss, Guilfoil, Houghton, Hunsaker, Hyde, Kneeland, Luce, Parkinson, Preston, Snow, Thompson (G. T.), Watt, Whalley, Wilson, Wood, Wooding — 20.

Nays: Forsyth, Long, Payne, Rinehart, Vestal, Wolfe — 6.

Absent or not voting: Clough, Jones, Kinnear, Landes, Lawrence, Owings, Seaborg, Thompson (L. F.), Van Houten.

The bill was then laid on the table, on motion of Senator Houghton.

The president in the chair.

Senate bill No. 204 — substitute for Senate bill No. 44 — was read third time and passed by the following vote:

Yeas: Baker, Clough, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Kinnear, Kneeland, Luce, Parkinson, Preston, Rinehart, Watt, Wilson, Wolfe, Wood, Wooding — 19.

Absent or not voting: Austin, Drum, Fairweather, Jones, Landes, Lawrence, Long, Owings, Payne, Seaborg, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Whalley.

The bill was then laid on the table.

House memorial No. 20, Relative to naval defences, was read third time and adopted by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Kinnear, Kneeland, Long, Owings, Payne, Preston, Rinehart, Vestal, Watt, Wilson, Wolfe, Wood, Wooding — 23.

Absent or not voting: Fairweather, Jones, Landes, Lawrence,

Luce, Parkinson, Seaborg, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Whalley.

On motion of Senator Kneeland, Senate joint memorial No. 21 was indefinitely postponed.

On motion of Senator Austin, the Senate, at 5 P. M., adjourned.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 28, 1890.
10 o'clock A. M.

Senate called to order pursuant to adjournment; president in the chair.

Roll called; all present but Senators Fairweather, Jones, Kneeland, Owings, Seaborg, Snow and Thompson (L. F.), all of whom were excused.

On motion of Senator Hunsaker, the reading of the journal of the previous day was dispensed with.

Senator Baker offered a petition from citizens of the town of Buckley, Pierce county, asking for the passage of an incorporation law.

Referred to the special committee on the subject.

COMMITTEE REPORT.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 190, entitled "An act to protect all citizens in their civil and legal rights," have had the same under consideration, and now respectfully report the same back to the Senate with the following amendments, and as amended recommend the passage of the bill:

First amendment: Section 1, line 4, after the words "of the," insert the word "public."

Second amendment: Section 2, line 7, before the word "accommodations," insert the word "public."

Respectfully submitted,

J. R. KINNEAR, Chairman.

Report concurred in by Senators Wood, Whalley and Houghton, being all the members of said committee present.

Senate bill No. 83, Relative to the duties of state auditor, etc. (substitute), was read third time, amended in section 3 by striking

out "fifteen" and inserting "twelve," and passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Kinnear, Landes, Lawrence, Luce, Parkinson, Payne, Preston, Rinehart, Thompson (G. T.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding—26.

Absent or not voting: Fairweather, Fariss, Jones, Kneeland, Long, Owings, Seaborg, Snow, Thompson (L. F.).

The emergency clause passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fariss, Forsyth, Guilfoil, Hunsaker, Hyde, Kinnear, Landes, Lawrence, Luce, Parkinson, Payne, Rinehart, Thompson (G. T.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding—25.

Absent or not voting: Fairweather, Houghton, Jones, Kneeland, Long, Owings, Preston, Seaborg, Snow, Thompson (L. F.).

COMMITTEE REPORTS.

MR. PRESIDENT:

Your Committee on County Lines and Boundaries, has had under consideration Senate bill No. 102, an act entitled "An act to provide for the change of boundary lines between counties," and would recommend its indefinite postponement.

O. D. GUILFOIL, Chairman.
A. T. FARISS.

The report was adopted.

MR. PRESIDENT:

Your Committee on County Lines and Boundaries, has had under consideration Senate bill No. 122, An act to provide for taking territory from one county and adding it to and making a part of another county, and would recommend its passage without amendments.

O. D. GUILFOIL, Chairman.
A. T. FARISS.

MR. PRESIDENT:

Your Committee on County and County Boundaries has had under consideration House bill No. 230, An act for removal and location of county seats, and would recommend its passage without amendment.

O. D. GUILFOIL, Chairman.
A. T. FARISS.

MR. PRESIDENT:

Your Committee on County Lines and Boundaries has had under consideration Senate bill No. 163, An act providing for the organization of new counties, and would recommend its passage without amendments.

O. D. GUILFOIL, Chairman.
A. T. FARISS.

MR. PRESIDENT:

Your Committee on State, Granted and School Lands, to whom was referred Senate bill No. 198, have had the same under consideration, and recommend that it do pass without amendments.

W. J. PARKINSON,
L. F. THOMPSON,
B. C. VAN HOUTEN,
L. B. CLOUGH,
J. M. SNOW,
O. D. GUILFOIL.

MR. PRESIDENT:

Your Committee on State, Granted and School Lands, to whom was referred Senate bill No. 63, have had the same under consideration, and recommend that the same be indefinitely postponed, for the reason that a substitute therefor has already been submitted by the committee and adopted by the Senate. W. J. PARKINSON, Chairman.

The report was adopted.

On motion of Senator Rinehart, Senate bill No. 135 was taken up.

The emergency clause was rejected by the following vote:

Yeas: Austin, Baker, Clough, Fariss, Guilfoil, Houghton, Humsaker, Hyde, Kinnear, Landes, Lawrence, Long, Luce, Parkinson, Payne, Preston, Rinehart, Vestal, Watt, Whalley, Wolfe, Wood, —22.

Nays: Drum, Forsyth, Seaborg, Thompson (G. T.), Van Houten —5.

Absent or not voting: Fairweather, Jones, Kneeland, Owings, Snow, Thompson (L. F.), Wilson, Wooding.

Senator Rinehart gave notice of a motion to reconsider the above vote.

On motion of Senator Humsaker, Senate bill No. 204 was taken up.

The emergency clause was passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Forsyth, Guilfoil, Houghton, Humsaker, Hyde, Jones, Kneeland, Lawrence, Long, Luce, Parkinson, Payne, Preston, Rinehart, Thompson (G. T.), Van Houten, Vestal, Watt, Whalley, Wolfe, Wood, Wooding—26.

Absent or not voting: Fairweather, Fariss, Kinnear, Landes, Owings, Seaborg, Snow, Thompson (L. F.), Wilson.

Senate bill No. 202, Concerning crimes and punishments, was, on motion of Senator Landes, taken up, and passed by the following vote.

Yeas: Austin, Baker, Clough, Drum, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Kinnear, Landes, Lawrence, Long, Luce, Parkinson, Payne, Preston, Rinehart, Thompson (G. T.), Van Houten, Vestal, Whalley, Wilson, Wolfe, Wood, Wooding—25.

Absent or not voting: Fairweather, Fariss, Jones, Kneeland, Owings, Seaborg, Snow, Thompson (L. F.), Watt.

House bill No. 180, To give arms to camps of Sons of Veterans, was taken up, read third time, and passed by the following vote:

Yeas: Austin, Baker, Drum, Fariss, Guilfoil, Houghton, Hunsaker, Hyde, Kinnear, Landes, Long, Luce, Parkinson, Payne, Preston, Rinehart, Thompson (G. T.), Van Houten, Watt, Whalley, Wolfe, Wood, Wooding—23.

Nays: Lawrence, Vestal—2.

Absent or not voting: Clough, Fairweather, Forsyth, Jones, Kneeland, Owings, Seaborg, Snow, Thompson (L. F.), Wilson.

House bill No. 25, To establish a normal school at Lynden, was read a third time and rejected by the following vote:

Yeas: Clough, Drum, Kinnear, Lawrence, Payne, Van Houten, Watt, Whalley, Wooding—9.

Nays: Baker, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Landes, Parkinson, Preston, Rinehart, Thompson (G. T.), Vestal, Wolfe, Wood—14.

Absent or not voting: Austin, Fairweather, Fariss, Jones, Kneeland, Long, Luce, Owings, Seaborg, Snow, Thompson (L. F.), Wilson.

On motion of Senator Van Houten, House bill No. 29, Defining and punishing trespass, was taken up.

Senator Wood in the chair.

The bill was read a third time, and passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Kinnear, Lawrence, Long, Luce, Parkinson, Payne, Rinehart, Van Houten, Watt, Whalley, Wilson, Wolfe, Wood, Wooding—24.

Nays: Preston, Thompson (G. T.)—2.

Absent or not voting: Fairweather, Jones, Kneeland, Landes, Owings, Seaborg, Snow, Thompson (L. F.), Vestal.

The emergency clause was passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Kinnear, Landes, Lawrence, Long, Parkin-

son, Payne, Rinehart, Van Houten, Vestal, Watt, Whalley, Wilson, Wood, Wooding—23.

Nays: Preston, Snow, Wolfe—3.

Absent or not voting: Fairweather, Fariss, Jones, Kneeland, Luce, Owings, Seaborg, Thompson (G. T.), Thompson (L. F.).

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he was instructed by the House to inform the Senate that the speaker has signed House bill No. 208, An act appointing an additional number of superior court judges.

Also House bill No. 289, Appropriating $200 for insurance of the capitol building, etc.

Also House bill No. 223, An act to regulate the tare on hops, etc. All of which have passed both houses and been reported correctly enrolled.

Also House bill No. 130, returned herewith, is a true copy of the original bill as amended by the committee of conference of both houses, and was reported back by said committee in place of the original bill, which cannot be found.

The speaker has appointed as a committee on behalf of the House under the provisions of House concurrent resolution No. 30, Messrs. Geoghegan, Browne (of Pierce), Moultray, Herren, McReavy, Nims, Grubb, Edens, Ostrander and Kuhn.

The House has passed Senate concurrent resolution No. 41, Relative to disposing of certain clerks, and has appointed Messrs. Shaw, Dean, Straight, Nims, Meade and Hughes on the part of the House.

The House has refused to recede from its amendments to Senate bill No. 143, creating a soldiers' home, and asks for a committee of conference.

The House has passed House bill No. 243, An act to authorize county commissioners to issue bonds for the erection of county buildings.

Has passed Senate memorial No. 17, Praying congress to make Blaine a port of entry.

Has passed Senate bill No. 28, In relation to court commissioners, but has refused to pass the emergency clause.

The House has concurred in the amendments made by the Senate to House bill No. 256, Organizing irrigation districts, and House

bill No. 162, An act in relation to the insane of the state, and has ordered the same enrolled.

On motion of Senator Whalley, the Senate, at 11:50, took a recess until 1:30 o'clock P. M.

AFTER RECESS.

The Senate re-assembled at 1:30 o'clock P. M.; president in the chair.

All present but Senators Fairweather, Jones, Kneeland, Owings and Seaborg, who were excused.

The chair announced as a committee on conference, on Senate bill No. 143, Senators Kinnear, Wolfe and Parkinson.

Senate bill No. 206, An act granting to the Fairhaven Southern railroad, to construct bridges, etc., was offered, by consent, out of order.

Rules suspended, read first and second time by title, and referred to the Committee on Corporations.

Senate memorial No. 27 was offered by Senator Austin, Relative to gold and silver coinage.

Rules suspended, read first and second time by title; rules further suspended, and the memorial passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Kinnear, Long, Luce, Parkinson, Preston, Rinehart, Snow, Thompson (L. F.), Van Houten, Vestal, Whalley, Wood, Wooding—22.

Absent or not voting: Fairweather, Fariss, Jones, Kneeland, Landes, Lawrence, Owings, Payne, Seaborg, Thompson (G. T.), Watt, Wilson, Wolfe.

The president announced that he was about to sign House bills No. 223, 298 and 289, which was done.

On motion of Senator Baker, Senate bill No. 203 was taken up, read third time, amended, and re-committed to the Committee on Judiciary, with instructions to further amend.

Senate bill No. 161, For the relief of Frank J. Parker, was then taken up and read third time.

The amendment of the committee was rejected.

Senator Wilson moved to lay the bill on the table.

Lost by divisional vote; yeas 5, nays 20.

The bill was amended by substituting $225 instead of $450, and as amended, passed by the following vote:

Yeas: Austin, Clough, Drum, Forsyth, Houghton, Hunsaker,

Hyde, Kinnear, Landes, Luce, Parkinson, Preston, Rinehart, Snow, Thompson (G. T.), Vestal, Watt, Wolfe, Wood, Wooding—20.

Nays: Baker, Fariss, Long, Thompson (L. F.), Whalley, Wilson—6.

Absent or not voting: Fairweather, Guilfoil, Jones, Kneeland, Lawrence, Owings, Payne, Seaborg, Van Houten.

Senate bill No. 151, An act to appropriate money to pay for material furnished and labor performed on account of the Washington School for Defective Youth.

Read third time, and passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fariss, Forsyth, Guilfoil, Houghton, Humsaker, Hyde, Kinnear, Kneeland, Landes, Long, Luce, Parkinson, Preston, Rinehart, Snow, Thompson (L. F.), Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding—27.

Absent or not voting: Fairweather, Jones, Lawrence, Owings, Payne, Seaborg, Thompson (G. T.), Van Houten.

Senator Whalley in the chair.

Senate bill No. 119, On drains and ditches: The report of the conference committee was adopted on section 47 by the following vote:

Yeas: Baker, Clough, Drum, Forsyth, Humsaker, Hyde, Kinnear, Kneeland, Landes, Long, Luce, Parkinson, Preston, Rinehart, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Watt, Whalley, Wilson, Wolfe, Wood, Wooding—24.

Absent or not voting: Austin, Fairweather, Fariss, Guilfoil, Houghton, Jones, Lawrence, Owings, Payne, Seaborg, Vestal.

On section 50 by the following vote:

Yeas: Baker, Clough, Drum, Forsyth, Houghton, Humsaker, Hyde, Kinnear, Kneeland, Landes, Long, Luce, Parkinson, Preston, Rinehart, Thompson (G. T.), Thompson (L. F.), Van Houten, Watt, Whalley, Wolfe, Wood, Wooding—23.

Absent or not voting: Austin, Fairweather, Fariss, Guilfoil, Jones, Lawrence, Owings, Payne, Seaborg, Snow, Vestal, Wilson.

House bill No. 281 was taken up.

After the reading of its history, Senator Drum moved to return the same to the House for correction of history.

House bill No. 203, Correcting informalities of records, etc., was taken up, read third time and passed by the following vote:

Yeas: Austin, Baker, Drum, Fairweather, Forsyth, Houghton,

Hunsaker, Hyde, Kinnear, Long, Luce, Parkinson, Preston, Rinehart, Snow, Van Houten, Watt, Whalley, Wilson, Wolfe, Wood, Wooding — 22.

Nays: Kneeland — 1.

Absent or not voting: Clough, Fariss, Guilfoil, Jones, Landes, Lawrence, Owings, Payne, Seaborg, Thompson (G. T.), Thompson (L. F.), Vestal.

President in the chair.

Senate bill No. 196 was, on motion of Senator Houghton, laid on the table.

House bill No. 252, Correcting omissions of attesting witnesses in deeds, mortgages and other instruments of writing, was read third time and passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Forsyth, Houghton, Hunsaker, Hyde, Kinnear, Kneeland, Long, Luce, Parkinson, Preston, Rinehart, Snow, Van Houten, Vestal, Watt, Wilson, Wolfe, Wooding — 22.

Absent or not voting: Fairweather, Fariss, Guilfoil, Jones, Landes, Lawrence, Owings, Payne, Seaborg, Thompson (G. T.), Thompson (L. F.), Whalley, Wood.

House bill No. 257, An act for the protection of hotel, inn, lodging house and boarding house keepers, passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Forsyth, Houghton, Hunsaker, Hyde, Kinnear, Kneeland, Landes, Luce, Parkinson, Preston, Rinehart, Snow, Thompson (G. T.), Van Houten, Vestal, Watt, Whalley, Wooding — 22.

Nays: Wolfe — 1.

Absent or not voting: Fairweather, Fariss, Guilfoil, Jones, Lawrence, Long, Owings, Payne, Seaborg, Thompson (L. F.), Wilson, Wood.

Senate bill No. 47 was, on motion of Senator Wooding, laid on table.

House bill No. 182 was, on motion of Senator Watt, laid on the table.

House bill No. 179, To exempt pension money from levy and attachment for debt.

Read third time and passed by the following vote:

Yeas: Austin, Baker, Drum, Forsyth, Houghton, Hunsaker, Kin-

near, Kneeland, Landes, Luce, Parkinson, Preston, Rinehart, Thompson (G. T.), Van Houten, Whalley, Wolfe, Wooding — 18.

Nays: Clough, Fariss, Hyde, Vestal — 4.

Absent or not voting: Fairweather, Guilfoil, Jones, Lawrence, Long, Owings, Payne, Seaborg, Snow, Thompson (L. F.), Watt, Wood.

Senate bill No. 177, An act to amend chapter 124 of the general laws of Washington, etc.

The amendment of the committee was adopted, the bill read third time, and passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fariss, Forsyth, Hunsaker, Hyde, Kinnear, Kneeland, Landes, Luce, Parkinson, Preston, Rinehart, Thompson (G. T.), Van Houten, Vestal, Wolfe, Wooding — 20.

Nays: Houghton — 1.

Absent or not voting: Fairweather, Guilfoil, Jones, Lawrence, Long, Owings, Payne, Seaborg, Snow, Thompson (L. F.), Watt, Whalley, Wilson, Wood.

Senate bill No. 188 was, on motion of Senator Houghton, laid on the table.

Senate bill No. 190, An act to protect all citizens in their civil and legal rights.

The amendments recommended by the committee were adopted, the bill read a third time and passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fariss, Forsyth, Houghton, Hunsaker, Hyde, Kinnear, Kneeland, Long, Luce, Parkinson, Preston, Rinehart, Snow, Thompson (G. T.), Van Houten, Vestal, Watt, Wilson, Wolfe, Wooding — 24.

Nays: Whalley — 1.

Absent or not voting: Fairweather, Guilfoil, Jones, Landes, Lawrence, Owings, Payne, Seaborg, Thompson (L. F.), Wood.

On motion of Senator Drum, Senate bill No. 144 and Senate bill No. 171 were indefinitely postponed.

House bill No. 230 was, on motion of Senator Luce, laid on the table.

Senate bill No. 207 was, by consent, offered by Senator Preston, relative to manufacturing purposes at the Walla Walla penitentiary.

Rules suspended, read first and second time by title, and referred to the Committee on State Prisons.

Senate bill No. 122, An act to provide for taking territory from one county and adding it to and making it a part of another county.

Senator Parkinson in the chair.

On motion of Senator Drum, the bill was made a special order for Wednesday, March 5, at 2 P. M.

The Senate, at 4:50, on motion of Senator Wilson, adjourned.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 1, 1890.
10 o'clock A. M.

Senate called to order pursuant to adjournment; president in the chair.

Roll call; all present but Senators Fariss, Hyde, Jones, Kinnear, Kneeland, Payne, Seaborg and Wood, who were excused.

On motion of Senator Rinehart, the reading of the journal of the previous day was dispensed with.

COMMITTEE REPORTS.

To the President of the Senate:

We, your Committee on Salaries and Mileage, have had under consideration House bill No. 271. We report the same back, and recommend the following amendment, viz.:

In section 1, line 3, original bill, the word "four" be stricken out, and the word "three" be substituted therefor. With said amendment, we further recommend that the bill do pass.

Respectfully submitted,

H. H. WOLFE, Chairman.
C. E. FORSYTH,
L. B. CLOUGH.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills begs leave to report, that Senate bill No. 100, entitled "An act requiring all transportation companies to promptly forward all freight, and making them liable for damages when failing promptly to forward the same, has been carefully compared with the engrossed copy thereof, and found correctly enrolled.

J. M. SNOW, Chairman.

House bill No. 130 was taken up, and the report of the confer-

ence committee adopted, and the amendments reported by it adopted by the following vote:

Yeas: Austin, Clough, Guilfoil, Houghton, Hunsaker, Long, Luce, Owings, Parkinson, Preston, Rinehart, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Whalley, Wilson, Wolfe, Wooding — 21.

Absent or not voting: Baker, Drum, Fairweather, Fariss, Forsyth, Hyde, Jones, Kinnear, Kneeland, Landes, Lawrence, Payne, Seaborg, Snow, Watt, Wood.

House bill No. 243, To authorize county commissioners to issue bonds, etc., was, on motion of Senator Fairweather, indefinitely postponed.

Senate memorial No. 17, Praying to make the town of Blaine a port of entry.

Ordered to be enrolled.

Senate bill No. 28, Relative to court commissioners, with House amendments, was read. The first amendment of the House, first section, was non-concurred in, the second amendment, section 2, was concurred in, and the emergency clause stricken out.

Senate joint resolution No. 41 was read, and the president announced that he would announce the committee at a future time.

The president announced that he was about to sign Senate bill No. 100, which was done.

THIRD READING OF BILLS.

Senate bill No. 198, Relative to lieu school lands, was read and passed by the following vote:

Yeas: Austin, Clough, Drum, Fairweather, Forsyth, Guilfoil, Hunsaker, Landes, Lawrence, Long, Owings, Parkinson, Preston, Rinehart, Snow, Thompson, (G. T.), Vestal, Whalley, Wilson, Wood, Wooding — 21

Absent or not voting: Baker, Fariss, Houghton, Hyde, Jones, Kinnear, Kneeland, Luce, Payne, Seaborg, Thompson (L. F.), Van Houten, Watt, Wolfe.

The bill was, on motion of Senator Hunsaker, laid on the table.

Senate bill No. 163, Providing for the organization of new counties, was taken up, amended in section 9, and the bill passed by the following vote:

Yeas: Austin, Clough, Fairweather, Forsyth, Guilfoil, Hough-

ton, Hunsaker, Landes, Lawrence, Owings, Parkinson, Preston, Rinehart, Snow, Vestal, Watt, Whalley, Wilson, Wooding — 19.

Nays: Wolfe.

Absent or not voting: Baker, Drum, Fariss, Hyde, Jones, Kinnear, Kneeland, Long, Luce, Payne, Seaborg, Thompson (G. T.), Thompson (L. F.), Van Houten, Wood.

House bill No. 271, To provide for the payment of supreme court bailiffs.

The amendment of the Committee on Salaries and Mileage was adopted by the following vote, Senators Owings, Lawrence, Whalley, Wilson, Thompson (G. T.) and Austin calling for the yeas and nays:

Yeas: Austin, Clough, Fairweather, Forsyth, Guilfoil, Landes, Lawrence, Long, Luce, Owings, Parkinson, Preston, Snow, Vestal, Watt, Wilson, Wolfe, Wooding — 18.

Nays: Houghton, Hunsaker, Rinehart, Whalley — 4.

Absent or not voting: Baker, Drum, Fariss, Hyde, Jones, Kinnear, Kneeland, Payne, Seaborg, Thompson (G. T.), Thompson (L. F.), Van Houten, Wood.

The bill was read a third time, and passed by the following vote:

Yeas: Austin, Clough, Drum, Fairweather, Forsyth, Guilfoil, Houghton, Hunsaker, Landes, Lawrence, Long, Luce, Owings, Parkinson, Preston, Rinehart, Snow, Vestal, Watt, Whalley, Wilson, Wolfe, Wooding — 23.

Absent or not voting: Baker, Fariss, Hyde, Jones, Kinnear, Kneeland, Payne, Seaborg, Thompson (G. T.), Thompson (L. F.), Van Houten, Wood.

The emergency clause was passed by the following vote:

Yeas: Austin, Clough, Drum, Fairweather, Forsyth, Guilfoil, Houghton, Hunsaber, Landes, Lawrence, Long, Luce, Owings, Parkinson, Preston, Rinehart, Snow, Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wooding — 24.

Absent or not voting: Baker, Fariss, Hyde, Jones, Kinnear, Kneeland, Payne, Seaborg, Thompson (G. T.), Thompson (L. F.), Wood.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he was instructed by the House to return House bill No. 281, with history corrected, as desired by the Senate.

House bill No. 281, To provide charters for cities of over 20,000

inhabitants, was taken up, read a third time, amended in the seventh subdivision of section 4 by inserting the word "prohibit" instead of "forbid," and passed by the following vote:

Yeas: Austin, Drum, Fairweather, Forsyth, Guilfoil, Houghton, Hunsaker, Landes, Lawrence, Long, Luce, Owings, Parkinson, Preston, Rinehart, Snow, Thompson (L. F.), Van Houten, Watt, Whalley, Wilson, Wolfe, Wooding—23.

Absent or not voting: Baker, Clough, Fariss, Hyde, Jones, Kinnear, Kneeland, Payne, Seaborg, Thompson (G. T.), Vestal, Wood.

The emegency clause was passed by the following vote:

Yeas: Austin, Clough, Drum, Fairweather, Forsyth, Guilfoil, Houghton, Hunsaker, Landes, Lawrence, Long, Luce, Owings, Parkinson, Preston, Rinehart, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wooding—26.

Absent or not voting: Baker, Fariss, Hyde, Jones, Kinnear, Kneeland, Payne, Seaborg, Wood.

By consent, Senator Thompson offered Senate concurrent resolution No. 42, Relative to the death of Hon. Henry Miles, as follows:

WHEREAS, The members of this the first legislature of the State of Washington have heard with deep sorrow of the death of Hon. Henry Miles, an eminent and respected member of the first legislature of the Territory of Washington, and a member of said territorial legislature at several succeeding sessions, and who was also widely known and highly esteemed pioneer citizen of Washington; therefore, be it

Resolved by the Senate, the House concurring, That in the death of the Hon. Henry Miles this state has lost one of its most eminent, honorable and highly respected pioneer citizens; and be it further

Resolved, That we hereby tender to the family of deceased our heartfelt sympathy in their sad bereavement, and that a copy of these resolutions of condolence be transmitted to said family, and that the same be spread upon the journal of the Senate.

Unanimously adopted.

The Senate, at 11:30 A. M., on motion of Senator Guilfoil, adjourned until 1:30 P. M., Monday.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 3, 1890.
1:30 o'clock P. M.

Senate called to order pursuant to adjournment; president in the chair.

Roll call; all present but Senators Baker, Clough, Drum, Fairweather, Fariss, Guilfoil, Jones, Payne, Seaborg, Snow, Whalley and Wood, all of whom were excused.

On motion of Senator Owings, the reading of the journal was dispensed with.

Senator Parkinson moved to reconsider the vote by which House bill No. 20 was lost.

Adopted by a divisional vote: Yeas 15, nays 4.

On motion of Senator Parkinson, the bill was laid on the table.

Senator Rinehart moved that the vote by which the emergency clause to Senate bill No. 135 was lost be reconsidered.

Adopted.

On motion of Senator Rinehart, the bill was laid on the table.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he had been instructed by the House to inform the Senate that the House has concurred in Senate concurrent resolution No. 42, Condolence on the death of Hon. Henry Miles, and ordered the same spread on the journal.

The Judiciary Committee reported back Senate bill No. 203, with amendment to section 1.

The amendment was adopted, and the bill passed by the following vote:

Yeas: Austin, Forsyth, Houghton, Hunsaker, Hyde, Kinnear, Long, Luce, Owings, Parkinson, Payne, Rinehart, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wooding — 18.

Nays: Wilson — 1.

Absent or not voting: Baker, Clough, Drum, Fairweather, Fariss, Guilfoil, Jones, Kneeland, Landes, Lawrence, Preston, Seaborg, Snow, Wolfe, Wood.

INTRODUCTION OF BILLS.

By Senator Rinehart: Senate bill No. 208, Relating to the service of process in justice's court.

Rules suspended, read first and second time by title, and referred to the Judiciary Committee.

By Senator Rinehart: Senate bill No. 209, Relating to appeals from justice's courts.

Rules suspended, read first and second time by title, and referred to the Judiciary Committee.

By Senator Landes: Senate bill No. 210, Creating the office of public administrator, and defining the duties thereof.

Rules suspended, read first and second time by title, and referred to the Judiciary Committee.

On motion of Senator Luce, Senate bill No. 99 was taken from the table, and indefinitely postponed.

At 1:55, the Senate, on motion of Senator Owings, adjourned until 1 P. M. to-morrow.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 4, 1890.
1 o'clock P. M.

Senate called to order pursuant to adjournment; president in the chair.

Roll called; all present excepting Senators Clough, Fairweather, Jones, Kneeland, Lawrence, Long, Rinehart and Vestal, all of whom were excused.

On motion of Senator Houghton, the reading of the journal was dispensed with.

A petition was presented by Senator Snow (by request), asking for taxation of roadbed of Northern Pacific railroad, etc.

Referred to the Committee on Public Revenue and Taxation.

REPORTS OF COMMITTEES.

MR. PRESIDENT:

Your Committee on Agriculture, to whom was referred Senate bill No. 118, An act creating a state board of horticulture, beg leave to report that they have had the same under consideration, and herewith return

the bill to the Senate with the recommendation that it be indefinitely postponed, it being, in their judgment, inexpedient at this time to create the office.

Also, Senate bill No. 75, Amending certain sections of the code relating to liens, and beg leave to report the same favorably.

Also, House bill No. 102, Preventing bulls from running at large during certain seasons, and report the same favorably.

Also, Senate bill No. 109, Amending the code relative to the trespass of sheep, and recommend its indefinite postponement.

Also, petition from citizens of Spokane county, Relative to the Feighan trust bill, and recommend that it be referred to the Committee on Corporations.

Also, House bill No. 169, Restraining swine from running at large, and recommend its passage, with certain amendments.

L. F. THOMPSON, Chairman.

Senate bill No. 75 was placed on file.

House bill No. 102 was placed on file.

Senate bill No. 109 was indefinitely postponed.

The petition relative to the Feighan trust bill was referred to the Committee on Corporations other than Municipal.

House bill No. 169 was placed on file.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred House bill No. 122, entitled "An act defining trespass on the public lands of the state, and providing punishment therefor," have had the same under consideration, and now respectfully report the same back to the Senate with the recommendation that the bill pass.

MR. PRESIDENT:

Your Committee on Judiciary beg leave to report that they have prepared and now submit herewith Senate bill No. 212, entitled "An act relating to forcible entry and detainer, and repealing chapter CXXIII of the Code of Washington, relating to forcible entry and detainer, and declaring an emergency," with the recommendation that the bill pass.

Respectfully submitted, J. R. KINNEAR, Chairman.

Report concurred in by Senators Houghton, Wood and Thompson, other members of committee being absent.

The bill was ordered to be printed.

Your Committee on Judiciary beg leave to report that they have prepared and submit herewith Senate bill No. 210, entitled "An act to amend sections 2,054 and 2,056 of the Code of Washington, relating to landlord and tenant, and declaring an emergency," and recommend the passage of said bill. Respectfully submitted, J. R. KINNEAR, Chairman.

Report concurred in by Senators Wood, Houghton and Thompson, the other members of said committee being absent.

The latter bill was ordered to be not printed.

MR. PRESIDENT:

Your committee to whom was referred Senate bill No. 207, An act authorizing the money appropriated by the legislature of the Territory of Washington for the manufacture of grain sacks, approved February 1st, 1888, to be used for other purposes, recommend that the bill do pass.

P. A. PRESTON,
Chairman Committee on State Prison.

MR. PRESIDENT:

Your committee to whom was referred House bill No. 228, would respectfully recommend that the consideratlon of it be indefinitely postponed, for the reasons that it does not appear to have been carefully drawn by the maker, nor carefully examined by the committee to whom it was referred, nor carefully considered by the house which passed it. Your committee do not deem it expedient to provide by statute that the third story of a building shall have six windows, nor that a corporation shall be imprisoned, as is provided in this bill; and while we recognize that legislation may be needed in this direction, we think it would be as well to entirely divest the subject of these old clothes and begin anew, for to amend this into a good bill would be like undertaking to breathe life into a saw horse.

JNO. S. BAKER,
P. A. PRESTON.

MR. PRESIDENT:

Your committee to whom was referred House bill No. 189, Relating to the establishment of a uniform standard of weights and measures, beg leave to report the same back without further amendment, and recommend its passage.

JNO. S. BAKER, Chairman,
P. A. PRESTON.

COMMUNICATION FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, March 1st, 1890.

To the Honorable the Senate of the State of Washington:

I have appointed James Crawford, of Clarke county, to be fish commissioner, and I ask that the Senate advise and consent thereto.

Respectfully,
ELISHA P. FERRY, Governor.

Senator Thompson (G. T.) moved that the appointment be considered in open session.

Adopted.

On the question, Shall James Crawford be confirmed? the vote was as follows:

Yeas: Austin, Baker, Drum, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Kneeland, Landes, Luce, Owings, Parkinson, Payne, Preston, Seaborg, Thompson (G. T.), Thompson (L. F.), Van Houten, Watt, Whalley, Wilson, Wolfe, Wood, Wooding — 25.

Absent or not voting: Clough, Fairweather, Fariss, Jones, Kinnear, Lawrence, Long, Rinehart, Snow, Vestal.

By Senator L. F. Thompson: Senate bill No. 213, To regulate the practice of medicine and surgery.

Rules suspended, read first and second time by title, and referred to the Committee on Medicine, Surgery and Hygiene.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he was instructed by the House to inform the Senate that the House has refused to pass Senate bill No. 138, An act prescribing the qualifications of locomotive engineers.

The House has passed House memorial No. 22, To make Port Angeles a sub-port of entry.

Has passed Senate memorial No. 15, Relative to the Indians on the Puyallup Indian reservation.

Has passed House bill No. 97, Selecting indemnity lieu lands for school purposes.

The House has appointed as a conference committee on the part of the House, on Senate bill No. 143, Creating a soldiers' home, Messrs. Brown (of Spokane), Bothell, Blackfan, Browne (of Pierce), and Geoghegan.

The House has refused to pass Senate memorial No. 27, In relation to gold and silver coinage.

The House has refused to recede from its amendments to Senate bill No. 28, In relation to court commissioners, and asks for a committee of conference. The House has appointed as such committee on the part of the House, Messrs. Herren, Pickrell, Sharp, McReavy and Allen.

The House has concurred in the amendment made in the Senate to House bill No. 271, Providing for the payment of supreme court bailiffs.

The House has concurred in the amendments made by the Senate to House bill No. 281, Providing for the government of cities of 20,000 inhabitants, and has ordered the bill enrolled.

The House has adopted the amendments made by the committee of conference on Senate bill No. 119, An act to provide for constructing drains, etc.

The speaker has signed House memorial No. 20, In relation to naval defenses.

Also, House bill No. 257, For the protection of hotel keepers, etc.

Also, House bill No. 180, Authorizing the issue of arms to camps of Sons of Veterans.

All of which have passed both houses, been reported correctly enrolled, and the same are herewith transmitted to the Senate for the signature of the president.

The speaker has signed House bill No. 203, Correcting informalities of record in the establishment of roads and highways.

Also, House bill No. 179, Exempting pension money from levy for debt.

Also, House bill No. 125, An act to secure creditors a just division of the estates of debtors, etc. All of which have passed both houses, been correctly enrolled.

And the same are herewith transmitted to the Senate for the signature of the president.

The speaker has signed Senate bill No. 100, Requiring all transportation companies to promptly forward freight, etc., which has been signed by the president, and the same is herewith returned to the Senate for transmission to the governor.

FIRST READING OF BILLS.

House bill No. 97: Rules suspended, read first and second time by title, and referred to the Committee on State, Granted and School Lands.

Senate bill No. 138 was placed on file.

Senate memorial No. 15 was ordered to be enrolled.

House memorial No. 22: Rules suspended, read first and second times by title, and referred to the Committee on Memorials.

Senate bill No. 119 was ordered to be enrolled.

Senate bill No. 28: The president appointed the following conference committee: Senators Payne, Houghton and Guilfoil.

The president announced that he was about to sign House bill No. 179, House memorial No. 20, House bill No. 125, House bill No. 180, House bill No. 203, House bill No. 257, Senate bill No. 100, which was done.

Senator Parkinson in the chair.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your Committee on Corporations other than Municipal, beg leave to report that they have had House bill No. 213, An act relating to trusts

and combinations, under consideration, and return the same with the recommendation that it do pass.

N. H. OWINGS,
H. E. HOUGHTON,
W. J. PARKINSON,
F. H. LUCE.

Dissenting: C. G. AUSTIN.

MR. PRESIDENT:

Your Committee on Corporations other than Municipal, have had under consideration Senate bill No. 296, An act granting to the Fairhaven and Southern Railroad Company the right to construct bridges across certain streams, and beg leave to report the same back with the recommendation that it do pass.

N. H. OWINGS,
H. E. HOUGHTON,
W. J. PARKINSON,
C. G. AUSTIN,
F. H. LUCE.

MR. PRESIDENT:

Your Committee on Corporations other than Municipal, to whom was referred House bill No. 250, An act to authorize the hauling of timber across railroads, have had the same under consideration, and beg leave to report the same back without any recommendation.

N. H. OWINGS,
H. E. HOUGHTON,
W. J. PARKINSON,
C. G. AUSTIN,
F. H. LUCE.

MR. PRESIDENT:

Your Committee on Corporations other than Municipal have carefully examined Senate bill No. 142, An act relating to the transfer of real property by corporations other than municipal, report the same back with the recommendation that it be referred to the Judiciary Committee for perfection.

N. H. OWINGS,
H. E. HOUGHTON,
W. J. PARKINSON,
C. G. AUSTIN,
F. H. LUCE.

The report was adopted, and bill so referred.

MR. PRESIDENT:

Your Committee on Corporations other than Municipal beg leave to report that they have had Senate bill No. 137, An act providing for a lien for common carriers, under careful consideration, and return the same with the recommendation that it do pass.

N. H. OWINGS,
H. E. HOUGHTON,
W. J. PARKINSON,
C. G. AUSTIN,
F. H. LUCE.

On motion of Senator Houghton, Senate bill No. 178, On tide lands, special order for 2 o'clock, was laid on the table.

Senate bill No. 207 was read third time, and passed by the following vote:

Yeas: Austin, Baker, Drum, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Kinnear, Luce, Owings, Parkinson, Preston, Seaborg, Van Houten, Whalley, Wilson, Wolfe, Wood, Wooding—21.

Absent or not voting: Clough, Fairweather, Jones, Kneeland, Landes, Lawrence, Long, Payne, Rinehart, Snow, Thompson (G. T.), Thompson (L. F.), Vestal, Watt.

The bill was then, on motion of Senator Preston, laid on the table.

House bill No. 189 was passed by the following vote:

Yeas: Austin, Baker, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Kinnear, Landes, Luce, Owings, Parkinson, Payne, Preston, Seaborg, Van Houten, Wilson, Wolfe, Wood, Wooding—20.

Nays: Drum, Fariss, Whalley—3.

Absent or not voting: Clough, Fairweather, Jones, Kneeland, Lawrence, Long, Rinehart, Snow, Thompson (G. T.), Thompson (L. F.), Vestal, Watt.

House bill No. 213 was taken up.

On motion of Senator Owings a call of the House was demanded. All present except those excused, and Senator Luce, who was brought before the bar of the Senate by the sergeant-at-arms, and, on motion of Senator Thompson (L. F.), was excused.

The further call of the Senate was, on motion of Senator Landes, dispensed with.

House bill No. 213 then failed of passage by the following vote:

Yeas: Drum, Forsyth, Houghton, Kinnear, Luce, Owings, Parkinson, Preston, Seaborg, Thompson (G. T.), Thompson (L. F.), Van Houten, Whalley, Wilson, Wolfe, Wood—16.

Nays: Austin, Baker, Fariss, Guilfoil, Hunsaker, Hyde, Landes, Payne, Snow, Wooding—10.

Absent or not voting: Clough, Fairweather, Jones, Kneeland, Lawrence, Long, Rinehart, Vestal, Watt.

Senate bill No. 137 was passed by the following vote:

Yeas: Austin, Clough, Forsyth Houghton, Hunsaker, Hyde, Kinnear, Landes, Luce, Owings, Parkinson, Payne, Preston, Seaborg, Thompson (G. T.), Thompson (L. F.), Van Houten, Whalley, Wolfe, Wood, Wooding—21.

Absent or not voting: Baker, Drum, Fairweather, Fariss, Guilfoil, Jones, Kneeland, Lawrence, Long, Rinehart, Snow, Vestal, Watt, Wilson.

Senator Whalley in the chair.

Senate bill No. 206: Senator Wood moved to make it a special order for Wednesday, March 12, 2 P. M.

On motion of Senator Drum, the bill was laid on the table.

COMMITTEE REPORT.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills begs leave to report that Senate bill No. 125, entitled "An act to provide for laying out, establishing, altering, changing the width of, or vacating any county road, and providing for assessment, payment of damages, and providing for appeals," and Senate bill No. 126, entitled "An act to provide for keeping highways in repair, and for the levy and collection of road poll and road property taxes, and declaring an emergency," and Senate bill No. 127, entitled "An act for laying out, opening, building and maintaining turnpike roads, and providing for counties issuing bonds for same;" also, Senate joint memorial No. 17, Praying congress to make the town of Blaine, Watcom county, a port of entry, and also Senate concurrent resolution No. 42, have been carefully compared with the engrossed copies thereof, and found correctly enrolled. J. M. SNOW, Chairman.

House bill No. 122 was passed by the following vote:

Yeas: Austin, Drum, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Kinnear, Landes, Luce, Owings, Parkinson, Payne, Preston, Seaborg, Thompson (G. T.), Thompson (L. F.), Van Houten, Whalley, Wilson, Wolfe, Wood, Wooding—23.

Nays: Fariss—1.

Absent or not voting: Baker, Clough, Fairweather, Jones, Kneeland, Lawrence, Long, Rinehart, Snow, Vestal, Watt.

The emergency clause was passed by the following vote:

Yeas: Austin, Drum, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Kinnear, Kneeland, Landes, Luce, Owings, Parkinson, Payne, Preston, Seaborg, Thompson (G. T.), Thompson (L. F.), Van Houten, Whalley, Wilson, Wolfe, Wood, Wooding—24.

Absent or not voting: Baker, Clough, Fairweather, Hyde, Jones, Lawrence, Long, Rinehart, Snow, Vestal, Watt.

Senator Parkinson in the chair.

Senate bill No. 75 was, on motion of Senator Houghton, referred to the Judiciary Committee.

House bill No. 102 was read third time, and passed by the following vote:

Yeas: Drum, Forsyth, Houghton, Hyde, Kneeland, Landes, Luce, Owings, Parkinson, Payne, Preston, Seaborg, Snow, Thompson (G. T.), Van Houten, Whalley, Wilson, Wood, Wooding — 19.

Nays: Austin, Baker, Fariss, Guilfoil, Hunsaker, Wolfe — 6.

Absent or not voting: Clough, Fairweather, Jones, Kinnear, Lawrence, Long, Rinehart, Thompson (L. F.), Vestal, Watt.

The bill was then laid on the table.

President in the chair.

House bill No. 250 was read a third time, and referred to the Judiciary Committee.

Senate bill No. 211 was read a third time, and passed by the following vote:

Yeas: Austin, Baker, Drum, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Kinnear, Kneeland, Landes, Luce, Owings, Parkinson, Payne, Preston, Seaborg, Snow, Thompson (G. T.), Van Houten, Whalley, Wooding — 22.

Absent or not voting: Clough, Fairweather, Fariss, Jones, Lawrence, Long, Rinehart, Thompson (L. F.), Vestal, Watt, Wilson, Wolfe, Wood.

The emergency clause was passed by the following vote:

Yeas: Austin, Baker, Drum, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Kinnear, Kneeland, Landes, Luce, Owings, Parkinson, Payne, Preston, Seaborg, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Whalley, Wilson, Wooding — 24.

Absent or not voting: Clough, Fairweather, Fariss, Jones, Lawrence, Long, Rinehart, Vestal, Watt, Wolfe, Wood.

COMMITTEE REPORT.

To the President and Honorable Senate:

Your committee, to whom was referred Senate bill No. 124, beg leave to report that after due consideration we have concluded to favor an indefinite postponement of the same, and report accordingly, for the reason that owing to the construction placed upon the restrictions in the constitution relating to women holding office, we cannot, however much inclined in that way, recommend the creation of an office to be filled by a female, but respectfully suggest that such employment we deem in perfect accord with humantarian principles, and that in cities of the population mentioned in the bill there should be provisions made by the city councils of the said several cities for the providing of such an employe,

and believe that the said cities will have the perfect right to make such appointment.

GEO. T. THOMPSON.
HENRY LANDES,
ALEX. WATT.

The report of the committee was postponed.

On motion of Senator Payne, the Senate, at 4:45 adjourned until 1:30 P. M. to-morrow.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 5, 1890.
1:30 o'clock P. M.

Senate called to order pursuant to adjournment; president in the chair.

Roll called; all present but Senators Austin, Jones, Owings, Rinehart and Wood, who were excused.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he had been instructed by the House to inform the Senate that the House has passed Senate bill No. 167, An act for the relief of John Sullivan et al.

Also, Senate bill No. 82, Providing for the release of sureties on official bonds.

Also, Senate bill No. 162, An act for the relief of Miles C. Moore, with an amendment to section 3.

Also, House bill No. 283, Providing for the dividing of the counties of the state into commissioner districts.

Also, House bill No. 284, Relative to the recording of cash and final receipts, etc.

Also, House bill No. 209, Providing for the completion of the School for Defective Youth.

Also, House bill No. 200, To prevent discrimination by tug boats.

Also, Senate bill No. 165, Regulating the mode of proceeding to appropriate real estate, etc., with amendments to sections 4 and 5, by adding a new section (12), and amending the title to declare an emergency.

Also, Senate bill No. 38, Allowing school districts to borrow money, and has also passed the emergency clause, but has amended it in section 12, seventh line, and added a new section.

Also, Senate bill No. 172, Relating to the permanent location of the seat of government, with an amendment to the last section.

Also, House bill No. 287, Creating a board of railroad commissioners, with an emergency clause.

Also, House bill No. 279, Authorizing the board of trustees for the Hospital for Insane at Fort Steilacoom to make a certain deed, etc.

The House has indefinitely postponed Senate joint resolution No. 37, Removing the war records to the adjutant general's office.

The speaker has signed Senate bill No. 125, For laying out public roads.

Also, Senate bill No. 126, For keeping highways in repair.

Also, Senate bill No. 127, For laying out turnpike roads.

Also, Senate concurrent resolution No. 42, Condolence on the death of Hon. Henry Miles.

Also, Senate joint memorial, Praying congress to make Blaine a sub-port of entry.

All of which have been signed by the president, and the same is herewith returned to the Senate for transmission to the governor.

The speaker has signed House bill No. 130, Creating commissioners of deeds; House bill No. 222, Authorizing corporations to buy bonds of irrigation companies; House bill No. 252, Correcting ommissions of attesting witnesses, all of which have passed both houses, and the same are herewith transmitted to the Senate for the signature of the president.

The House has refused to adopt the report of the committee of conference on Senate bill No. 143, Providing for the establishment of a soldiers' home, and asks that a free conference committee be appointed.

On motion of Senator Houghton, the reading of the journal of the previous day was dispensed with.

COMMITTEE REPORT.

On motion of Senator Payne, the rules were suspended, and the Committee on Municipal Corporations allowed to make a report, as follows:

MR. PRESIDENT:

Your Committee on Municipal Corporations, to whom was referred Senate bill No. 5, An act for the incorporation of cities and towns in the State of Washington of less than twenty thousand inhabitants, and providing for the organization of existing municipal corporations, have carefully considered the same, and in view of the recent decision of the supreme court, in relation to such organization of municipal corporations, your committee would respectfully submit herewith a substitute bill in which we have endeavored to avoid the objectionable features of Senate bill No. 5, and we would recommend the passage of the same.

Your committee would also respectfully submit herewith, as a supplement to said substitute, a separate bill: Senate bill No. 216, Embodying the necessary powers and authority requisite to enable cities and towns to issue bonds, and provide means for the establishment and maintenance of water works, sewers, gas or electric lights or other necessary public improvements within their respective limits.

The objects expressed in the titles will, we think, sufficiently explain the necessity for the separation of these bills, and we deem both necessary to a complete system of municipal government.

We would therefore recommend that the same do pass.

S. VESTAL, Chairman.
W. V. RINEHART,
ELEX. WATT.

The substitute was read first and second time by title under suspension of rules, and adopted, and 500 copies of both the substitute and the supplemental bill, Senate bill No. 216, were ordered to be printed.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your Committee on Memorials, to whom was referred House memorial No. 22, have had the same under consideration, and herewith return the same with the recommendation that it do pass.

C. E. FORSYTH,
B. A. SEABORG.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred House bill No. 253, entitled "A bill for an act to amend section 536 of chapter XLVI. of the Code of Washington, relating to actions to recover and affecting real estate," have had the same under consideration, and now respectfully report the same back to the Senate with the recommendation that the bill pass.

Your Committee on Judiciary, to whom was referred Senate bill No. 208, entitled "A bill for an act to amend sections 1716 and 1717, of the Code of Washington, relating to the service of process in justices' courts, and to repeal sections 1718 and 1719 of said code," have had the same under consideration, and now respectfully report the bill back to the Senate with the recommendation that the same be indefinitely postponed.

Your Committee on Judiciary, to whom was referred Senate bill No. 209, entitled "A bill for an act to regulate appeals from courts of justice of the peace in civil actions, and to repeal sections 1858, 1859, 1860, 1861, 1862, 1863, 1864, 1865, 1866 and 1867 of the Code of Washington, relating to appeals," have had the same under consideration, and now respectfully report the same back with the recommendation that the same be indefinitely postponed. Respectfully submitted,

J. R. KINNEAR, Chairman.

Report concurred in by Senators Houghton, Payne and Whalley, being all the members of said committee present.

The report of the committee on the two last named bills was adopted.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred House bill No. 250, entitled "A bill for an act to authorize the hauling of timber across railroads, and declaring an emergency," have had the same under consideration, and now respectfully report the same back to the Senate without recommendation. Respectfully submitted,

J. R. KINNEAR, Chairman.

Report concurred in by Senators Houghton, Payne and Whalley, the other members of committee being absent.

SPECIAL ORDER.

Senate bill No. 122 was, on motion of Senator Vestal, laid on the table.

House bill No. 250 was, on motion of Senator Kinnear, taken up.

A proviso was offered and adopted to section 1, a new section added (No. 3), and section 3 of the bill was re-numbered No. 4, and the bill laid on the table, on motion of Senator Drum.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your Committee on Commerce, to whom was referred Senate bill No. 205, entitled "An act to protect the title of the owners of floating logs and lumber," have carefully considered the same, and beg leave to report it back with amendments, and recommend that it do pass as amended.

B. A. SEABORG, Chairman,
J. HUNSAKER.

Following are the amendments:

1. Amend title by inserting word "timber" after "logs."

2. Add after "lumber," "and declaring an emergency."

3. Insert in section 8, line 2, after "persons," "except boom companies who are compelled to catch and hold logs or other timber of value."

4. Insert in section 8, line 3, after "stole," the words "or have in their possession."

5. Strike out in line 8 "misdemeanor," and insert "felony."
6. Strike out in line 10 "county jail," and insert "penitentiary."
7. Strike out in lines 10 and 11 "three months," and insert "five years."
8. Add to section 9: "This act shall take effect on its approval by the governor, an emergency existing therefor in the necessity for prompt legislation for the protection of the persons engaged in logging or putting timber of value in the waters of the state."

MR. PRESIDENT:

Your Committee on Commerce, to whom was referred Senate bill No. 183, An act to amend the law of the Territory of Washington, approved November 28, 1883, entitled "An act in relation to sawlogs and other timber," and declaring an emergency, have carefully considered the same, and beg leave to report the same back without recommendation.

B. A. SEABORG, Chairman,
J. HUNSAKER.

On motion of Senator Forsyth, the bill was indefinitely postponed.

MR. PRESIDENT:

Your Committee on Commerce, to whom was referred House memorial No. 21, Asking for an appropriation to remove obstructions between Oak Bay and Port Townsend Bay, in the State of Washington, have carefully considered the same, and beg leave to report it back and recommend that it do pass.

B. A. SEABORG, Chairman.
J. HUNSAKER.

On motion of Senator Landes, the rules were suspended, House memorial No. 21 read first and second time by title; the rules were further suspended, the memorial read a third time, and passed by the following vote:

Yeas: Baker, Clough, Drum, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Kinnear, Kneeland, Landes, Lawrence, Luce, Parkinson, Payne, Preston, Seaborg, Snow, Thompson (G. T.), Van Houten, Vestal, Whalley, Wolfe, Wooding — 25.

Absent or not voting: Austin, Fairweather, Fariss, Jones, Long, Owings, Rinehart, Thompson (L. F.), Watt, Wilson, Wood.

Senate bill No. 205 was, on motion of Senator Whalley, taken up.

The committee amendments were adopted, the bill read a third time, and ordered to be engrossed.

On motion of Senator Whalley, Senate bill No. 90 was taken up, read third time and amended in sections 1, 2 and 7, and failed of passage by the following vote:

Yeas: Baker, Drum, Fairweather, Forsyth, Kinnear, Kneeland,

Landes, Lawrence, Long, Luce, Parkinson, Payne, Preston, Seaborg, Watt, Whalley, Wooding—17.

Nays: Guilfoil, Houghton, Hunsaker, Hyde, Thompson (L. F.), Van Houghton, Wilson, Wolfe—8.

Absent or not voting: Austin, Clough, Fariss, Jones, Owings, Rinehart, Snow, Thompson (G. T.), Wood.

The president announced the following conference committee on Senate joint resolution No. 41: Senators Long, Landes and Luce.

Senator Houghton gave notice that he would move to reconsider the vote by which Senate bill No. 90 failed to pass.

COMMITTEE REPORT.

MR. PRESIDENT:

Your Committee on Harbor Lines and Navigable Streams respectfully report that they have carefully considered the constitution and all matters that have come before them concerning harbor lines and navigable waters, and submit the following bills for your consideration, viz.:

Senate bill No. 217, entitled "An act to create and define public waterways;" and also, Senate bill No. 218, entitled "An act to create a board of harbor line commissioners, prescribing their duties and compensation, and declaring an emergency."

W. H. KNEELAND, Chairman,
W. J. PARKINSON.

Senate bill No. 217 was read, under suspension of the rules, first and second times by title, ordered printed and placed on file.

Senate bill No. 218, same action.

By Senator Luce: Senate bill No. 219, To regulate the practice of medicine and surgery, etc.

Rules suspended, read first and second time by title, and placed on file and ordered not to be printed.

By Senator Clough: Senate bill No. 220, Relating to costs in superior courts.

Rules suspended, read first and second time by title, and referred to the Judiciary Committee.

By Senator L. F. Thompson: Senate bill No. 221, Changing the name of the town of Slaughter, in King county, to Valley City.

The rules were suspended, read first and second time by title, rules further suspended, read third time and passed by the following vote:

Yeas: Baker, Drum, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Kinnear, Kneeland, Landes, Lawrence, Luce, Parkinson, Payne, Preston, Seaborg, Snow, Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson, Wooding—24.

Absent or not voting: Austin, Clough, Fairweather, Fariss, Jones, Long, Owings, Rinehart, Thompson (G. T.), Wolfe, Wood.

On motion of Senator Baker, Senate bill No. 203 was taken up and the emergency clause passed by the following vote:

Yeas: Baker, Clough, Drum, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Kinnear, Kneeland, Landes, Lawrence, Luce, Parkinson, Payne, Preston, Seaborg, Snow, Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson, Wooding — 25.

Absent or not voting: Austin, Fairweather, Fariss, Jones, Long, Owings, Rinehart, Thompson (G. T.), Wolfe, Wood.

On motion of Senator Preston, Senate bill No. 207 was taken up, and the emergency clause passed by the following vote:

Yeas: Baker, Clough, Drum, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Kinnear, Kneeland, Landes, Lawrence, Luce, Parkinson, Payne, Preston, Seaborg, Snow, Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson, Wooding — 25.

Absent or not voting: Austin, Fairweather, Fariss, Jones, Long, Owings, Rinehart, Thompson (G. T.), Wolfe, Wood.

On motion of Senator Luce, House bill No. 102 was taken up, and the emergency clause passed by the following vote:

Yeas: Baker, Clough, Drum, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Kinnear, Kneeland, Landes, Lawrence, Luce, Payne, Preston, Seaborg, Snow, Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson, Wooding — 24.

Absent or not voting: Austin, Fairweather, Fariss, Jones, Long, Owings, Parkinson, Rinehart, Thompson (G. T.), Wolfe, Wood.

Senator Kinnear in the chair.

Senator Luce moved to take up Senate bill No. 95.

Carried.

The emergency clause passed by the following vote:

Yeas: Baker, Clough, Drum, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Kinnear, Kneeland, Landes, Lawrence, Luce, Parkinson, Payne, Preston, Seaborg, Snow, Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson, Wooding — 26.

Absent or not voting: Austin, Fairweather, Jones, Long, Owings, Rinehart, Thompson (G. T.), Wolfe, Wood.

On motion of Senator Hunsaker, Senate bill No. 198 was taken up, and the emergency clause passed by the following vote:

Yeas: Baker, Clough, Drum, Fariss, Forsyth, Guilfoil, Hough-

ton, Hunsaker, Hyde, Kinnear, Kneeland, Landes, Lawrence, Luce, Parkinson, Payne, Preston, Seaborg, Snow, Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson, Wooding — 26.

Absent or not voting: Austin, Fairweather, Jones, Long, Owings, Rinehart, Thompson (G. T.), Wolfe, Wood.

On motion of Senator Payne, House bill No. 185 was taken up, and the emergency clause was passed by the following vote:

Yeas: Baker, Clough, Drum, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Kinnear, Kneeland, Landes, Lawrence, Luce, Parkinson, Payne, Preston, Seaborg, Snow, Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson, Wooding — 26.

Absent or not voting: Austin, Fairweather, Jones, Long, Owings, Rinehart, Thompson (G. T.), Wolfe, Wood.

On motion of Senator Guilfoil, Senate bill No. 135 was taken up, and the emergency clause failed of passage by the following vote:

Yeas: Baker, Clough, Guilfoil, Houghton, Hyde, Kinnear, Kneeland, Landes, Lawrence, Luce, Parkinson, Payne, Preston, Seaborg, Snow, Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson, Wooding — 22.

Nays: Drum, Fariss, Forsyth, Hunsaker — 4.

Absent or not voting: Austin, Fairweather, Jones, Long, Owings, Rinehart, Thompson (G. T.), Wolfe, Wood.

On motion of Senator Forsyth, Senate bill No. 196 was taken up and indefinitely postponed.

On motion of Senator Whalley, House bill No. 284 was taken up.

Read first and second time by title; rules further suspended, read third time, and passed by the following vote:

Yeas: Austin, Drum, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Kinnear, Kneeland, Landes, Lawrence, Luce, Preston, Seaborg, Snow, Van Houten, Vestal, Watt, Whalley, Wilson, Wooding — 25.

Absent or not voting: Baker, Clough, Fairweather, Jones, Long, Owings, Parkinson, Payne, Rinehart, Thompson (G. T.), Thompson (L. F.), Wolfe, Wood.

On motion of Senator Lawrence, House bill No. 90 was taken up, and on motion of Senator Wolfe, the bill was laid on the table.

On motion of Senator Long, Senate bill No. 188 was taken up, and passed by the following vote:

Yeas: Baker, Drum, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Kinnear, Kneeland, Landes, Long, Luce, Parkinson, Payne, Preston, Seaborg, Snow, Thompson (L. F.), Van Houten, Whalley, Wolfe, Wooding — 23.

Absent or not voting: Austin, Clough, Fairweather, Jones, Lawrence, Owings, Rinehart, Thompson (G. T.), Vestal, Watt, Wilson, Wood.

Senator Kneeland was, on motion, granted indefinite leave of absence, in consequence of sickness in his family.

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, March 4th, 1890.

To the Honorable the Senate of the State of Washington:

I have appointed Oliver C. White, of Thurston county, to be state printer, and I ask that the Senate advise and consent thereto.

Respectfully,
ELISHA P. FERRY, Governor.

On motion of Senator Whalley, the Senate went into executive session with open doors, and the Senate concurred in the appointment of Mr. White by the following vote:

Yeas: Baker, Drum, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Kinnear, Kneeland, Landes, Lawrence, Long, Luce, Parkinson, Payne, Preston, Seaborg, Snow, Van Houten, Vestal, Whalley, Wolfe, Wooding — 24.

Absent or not voting: Austin, Clough, Fairweather, Jones, Owings, Rinehart, Thompson (G. T.), Thompson (L. F.), Watt, Wilson, Wood.

The Senate then resumed its session.

Senate bills Nos. 82 and 167 were ordered to be enrolled.

Senate bill No. 162 was then read, and the House amendments concurred in by the following vote:

Yeas: Baker, Clough, Drum, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Kinnear, Lawrence, Long, Luce, Parkinson, Preston, Seaborg, Snow, Van Houten, Vestal, Whalley, Wolfe, Wooding — 22.

Absent or not voting: Austin, Fairweather, Jones, Kneeland, Landes, Owings, Payne, Rinehart, Thompson (G. T.), Thompson (L. F.), Watt, Wilson, Wood.

President in the chair.

House bill No. 283 was read first and second time by title under suspension of the rules, and referred to the Judiciary Committee.

Senate bill No. 165, with House amendments, was, on motion of Senator Houghton, laid on the table.

Senate bill No. 38 was read, and House amendments concurred in by the following vote, and the bill was ordered to be enrolled:

Yeas: Baker, Clough, Drum, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Kinnear, Kneeland, Lawrence, Luce, Parkinson, Payne, Preston, Seaborg, Snow, Vestal, Whalley, Wooding — 21.

Absent or not voting: Austin, Fairweather, Jones, Landes, Long, Owings, Rinehart, Thompson (G. T.), Thompson (L. F.), Van Houten, Watt, Wilson, Wolfe, Wood.

Senate bill No. 172, with House amendments, was read.

The amendments were concurred in by the following vote:

Yeas: Baker, Drum, Fariss, Forsyth, Houghton, Hyde, Kinnear, Kneeland, Lawrence, Long, Luce, Parkinson, Payne, Preston, Seaborg, Snow, Vestal, Whalley, Wolfe, Wooding — 20.

Nays: Hunsaker, Van Houten — 2.

Absent or not voting: Austin, Clough, Fairweather, Guilfoil, Jones, Landes, Owings, Rinehart, Thompson (G. T.), Thompson (L. F.), Watt, Wilson, Wood.

The president announced that he was about to sign House bill No. 130, House bill No. 222 and House bill No. 252, which was done.

Senate bill No. 125, Senate joint memorial No. 17, Senate bill No. 26, Senate concurrent resolution No. 42 and Senate bill No. 127, which were signed by the speaker, were ordered to be sent to the Enrolling Committee for transmission to the governor.

House bill No. 200 was read first and second time by title, under suspension of the rules.

The rules were further suspended, the bill read a third time and failed of passage by the following vote:

Yeas: Clough, Forsyth, Hunsaker, Hyde, Lawrence, Long, Payne, Preston, Snow, Vestal, Watt, Whalley, Wilson, Wolfe, Wooding — 15.

Nays: Baker, Drum, Kinnear, Kneeland, Luce, Parkinson, Seaborg — 7.

Absent or not voting: Austin, Fairweather, Fariss, Guilfoil,

Houghton, Jones, Landes, Owings, Rinehart, Thompson (G. T.), Thompson (L. F.), Van Houten, Wood.

On motion of Senator Payne, the vote by which the report of the Committee on Manufactures, on House bill No. 228, was yesterday ordered to be printed was reconsidered.

Senator Payne moved that the report be not printed.

Adopted.

On motion of Senator Kinnear, the Senate, at 5:05 adjourned until 1:30 P. M., to-morrow.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 6, 1890.
1:30 o'clock P. M.

Senate called to order, pursuant to adjournment; the president in the chair.

Roll call; all present except Senators Austin, Jones and Wood, who were excused.

Senator Whalley moved that the reading of the journal be dispensed with.

Adopted.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your standing Committee on Engrossed Bills begs leave to report that Senate bill No 205, entiled "An act to protect the title of the owners of floating logs, timber and lumber, and declaring an emergency," has been carefully compared with the original bill, and found correctly engrossed. JNO. S. BAKER, Member of Committee.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills begs leave to report that Senate bill No. 125, entitled "An act to provide for laying out, establishing, altering, changing the width of, or vacating any county road, and providing for assessment, payment of damages and providing for appeals."

Also, Senate bill No. 126, entitled "An act to provide for keeping highways in repair and the levy and collection of road poll and road property taxes, and declaring an emergency."

Also, Senate bill No. 127, entitled "An act for laying out, opening and maintaining turnpike roads, and providing for counties issuing bonds for

the same," have, on this 6th day of March, 1890, been forwarded to his excellency, the governor, for his approval.

Also, Senate joint memorial No. 17, and Senate concurrent resolution No. 42, have, on this 6th day of March, 1890, been forwarded to the secretary of state.

J. M. SNOW, Chairman,
W. V. RINEHART,
J. HUNSAKER,
Members of Committee.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared, and announced that he had been instructed by the House to inform the Senate that the House has passed Senate bill No. 147, An act to prevent the obstruction of highways, with amendments to sections 1, 2, 3, 4, 6, 8, 9, 10, 13 and 15.

Has passed House bill No. 261, Exempting insurance money from levy and attachment in certain cases.

Also, House bill No. 286, An act creating a state land commission, with an emergency clause.

Also, House bill No. 277, Requiring treasurers to submit quarterly reports, etc., with an emergency clause.

Also, House bill No. 259, To regulate insurance business, etc.

Also, House bill No. 242, In relation to the commencement of civil actions in the superior courts.

The House has appointed as a committee under the provisions of House concurrent resolution No. 26, Messrs. Grant, Person, McReavy, Evans, Flummerfelt, Geoghegan, Moultray, Gandy and Sharp.

The House has also appointed as a free conference committee on the part of the House on Senate bill No. 143, Creating a soldiers' home, Messrs. Shaw, Blackfan, Nash, Ostrander, Clark, Robertson and Foster.

The speaker has signed House bill No. 122, An act defining trespass on the public lands of the state.

Also, House bill No. 271, An act to provide for the payment of supreme court bailiffs, which have passed both houses, been correctly enrolled, and the same are herewith transmitted to the Senate for the signature of the president.

Senator Fairweather, from the joint committee to fix a time for final adjournment, offered Senate concurrent resolution No. 43, fixing the date for final adjournment March 28th.

Senator Kinnear moved to amend; to strike out 28th and insert 21st.

Rejected.

The concurrent resolution was then adopted by the following vote:

Yeas: Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Hunsaker, Hyde, Kinnear, Landes, Lawrence, Luce, Parkinson, Preston, Rinehart, Seaborg, Thompson (G. T.), Van Houten, Vestal, Watt, Wilson, Wolfe — 22.

Nays: Guilfoil, Houghton, Long, Owings, Payne, Snow, Whalley, Wooding — 8.

Absent or not voting: Austin, Jones, Kneeland, Thompson (L. F.), Wood.

COMMITTEE REPORTS.

To the President of the Senate:

We, your Committee on Education, to whom was referred Senate bill No. 32 and Senate bill No. 50, have had the same under consideration, acting with the House Committee on Education, and beg leave to report a substitute bill, Senate bill No. 222, the work of the joint committees, and recommend the adoption of the substitute in place of the bills named, and that 500 copies of the substitute be printed at the earliest possible moment.

J. C. LAWRENCE, Chairman,
HENRY DRUM,
W. J. PARKINSON.

Senate substitute bill No. 222 was adopted.

MR. PRESIDENT:

Your Committee on Corporations other than Municipal, have carefully examined Senate bill No. 214, Relating to the giving of bonds required by law, and report the same back with the recommendation that it do pass.

N. H. OWINGS, Chairman.
H. E. HOUGHTON,
W. J. PARKINSON,
F. H. LUCE.

Senate bill No. 147 was read.

All of the House amendments were concurred in but section 4, last line of section 13 and to strike out section 15, which were non-concurred in.

House bill No. 261 was read, rules suspended, read first and second time and referred to the Judiciary Committee.

House bill No. 286: Rules suspended, read first and second time by title, and referred to Committee on State, School and Granted Lands.

House bill No. 277: Rules suspended, read first and second time by title, and referred to the Committee on Revenue and Taxation.

House bill No. 259: Rules suspended, read first and second time by title, and referred to Committee on Corporations.

House bill No. 242: Rules suspended, read first and second time by title, and referred to Committee on Judiciary.

The president announced that he was about to sign House bills Nos. 122 and 271, which was done.

The following named free conference committee on Senate bill No. 143 was announced by the president: Senators Kinnear, Landes, Wooding, Wolfe and Parkinson.

COMMITTEE REPORT.

MR. PRESIDENT:

Your Committee on Corporations other than Municipal, have had under consideration House bill No. 103, An act regulating the operation of telephone lines, and report the same back with the recommendation that it be indefinitely postponed.

The report of the committee was adopted.

FIRST READING OF BILLS.

House bill No. 208: Rules suspended, read first and second time by title, and referred to Committee on Defective Youth.

House bill No. 287: Rules suspended, read first and second time by title, and referred to Committee on Corporations.

COMMITTEE REPORT.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills beg leave to report, that Senate bill No. 82, entitled "An act providing for the release of sureties on official bonds and undertakings, has been carefully compared with the engrossed copy thereof, and found correctly enrolled.

J. M. SNOW, Chairman,
W. V. RINEHART,
J. HUNSAKER,
Members of Committee.

The president announced that he was about to sign Senate bill No. 82, which was done.

FIRST READING OF BILLS.

House bill No. 279: Rules suspended, read first and second time by title, and referred to Committee on State Insane.

By the Committee on Education: Senate bill No. 222, To estab-

lish a uniform system of public schools in the State of Washington.

Rules suspended, read first and second time by title, and ordered printed.

By Senator Parkinson: Senate bill No. 223, Granting to railroad corporations the right to bridge the navigable streams of the state.

Rules suspended, read first and second time by title, and referred to the Committee on Corporations.

By Senator Rinehart: Senate bill No. 224, An act authorizing the Washington Improvement Company to build and maintain a ship canal from the head of Salmon Bay to deep water in Admiralty Inlet.

Rules suspended, read first and second time, and referred to the Committee on Commerce.

By Senator Clough: Senate memorial No. 28, To authorize the Oregon Railway Extension Company to construct a bridge across the Columbia river at the city of Vancouver.

Rules suspended, read first and second time by title; rules further suspended, read third time, and passed by the following vote:

Yeas: Baker, Clough, Forsyth, Guilfoil, Hunsaker, Hyde, Kinnear, Landes, Lawrence, Long, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Vestal, Whalley, Wolfe, Wooding—22.

Absent or not voting: Austin, Drum, Fairweather, Fariss, Houghton, Jones, Kneeland, Payne, Thompson (L. F.), Van Houten, Watt, Wilson, Wood.

Senator Parkinson in the chair.

THIRD READING OF BILLS.

Senate bill No. 205 was passed by the following vote:

Yeas: Baker, Clough, Drum, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Kinnear, Landes, Lawrence, Long, Luce, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Van Houten, Vestal, Whalley, Wolfe, Wooding—25.

Absent or not voting: Austin, Fairweather, Fariss, Jones, Kneeland, Owings, Thompson (L. F.), Watt, Wilson, Wood.

The emergency clause was passed by the following vote:

Yeas: Baker, Clough, Drum, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Kinnear, Landes, Lawrence, Long, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Van Houten, Vestal, Whalley, Wolfe, Wooding—26.

Absent or not voting: Austin, Fairweather, Fariss, Jones, Kneeland, Thompson (L. F.), Watt, Wilson, Wood.

House memorial No. 22 was passed by the following vote:

Yeas: Baker, Drum, Forsyth, Guilfoil, Houghton, Hunsaker, Kinnear, Landes, Lawrence, Long, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Whalley, Wolfe, Wooding—22.

Absent or not voting: Austin, Clough, Fairweather, Fariss, Hyde, Jones, Kneeland, Thompson (L. F.), Van Houten, Vestal, Watt, Wilson, Wood.

House bill No. 253 was passed by the following vote:

Yeas: Baker, Drum, Forsyth, Guilfoil, Houghton, Hunsaker, Kinnear, Landes, Parkinson, Payne, Preston, Rinehart, Seaborg, Thompson (G. T.), Whalley, Wilson, Wolfe, Wood, Wooding —18.

Absent or not voting: Austin, Clough, Fairweather, Fariss, Hyde, Jones, Kneeland, Lawrence, Long, Luce, Owings, Snow, Thompson (L. F.), Van Houten, Vestal, Watt.

House bill No. 169 was taken up.

On motion of Senator Wilson, the Senate, at 3:05 P. M., adjourned.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 7, 1890.
10 o'clock A. M.

Senate called to order by the secretary, pursuant to adjournment; Senator Kinnear called to the chair.

Roll call; all present but Senators Austin, Fariss, Jones, Kneeland, Thompson (G. T.) and Thompson (L. F.), who were excused.

On motion of Senator Landes, the reading of the journal was dispensed with.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your Committee on Judiciary beg leave to report that they have prepared and now submit herewith an act, Senate bill No. 226, entitled "An act in relation to costs in convictions for felony before the superior courts of the state, providing the manner of payment of the same, and repealing an act to amend an act entitled 'An act to amend sections 2106

and 2107 of the Code of Washington, in relation to "costs in certain cases," approved November 28, 1883, and sections 2106 and 2107 of the Code of Washington,' and declaring an emergency," and recommend the passage of the bill. Respectfully submitted,

J. R. KINNEAR, Chairman.

Senators Houghton and Whalley concurred in report, other members being absent.

The bill, Senate bill No. 226, was read first and second time under suspension of rules and ordered to be printed and placed on file.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 179, entitled "An act limiting the time within which an action may be brought for the recovery of real estate sold by executors, administrators or guardians, and determining when such sales shall be invalidated," have had the same under consideration, and now respectfully report the same back to the Senate with the recommendation that the bill pass.

J. R. KINNEAR, Chairman.

Report concurred in by Senators Houghton, Baker and Whalley, being all the members of said committee present.

MR. PRESIDENT:

Your standing Committee on State Insane, to whom was referred House bill No. 279, Authorizing the board of trustees for the Hospital for the Insane at Fort Steilacoom to sell a certain tract of land and to purchase other land, beg leave to report that we have carefully considered the same in connection with the joint report of the Committees on State Insane, of the Senate and House of Representatives, with reference to the asylum at Steilacoom, and the aforesaid bill is herewith returned to the Senate, with the recommendation that it do pass.

E. B. HYDE, Chairman.
J. C. LAWRENCE.

Senator Kneeland absent.

To the President and Members of the Senate of Washington:

GENTLEMEN—Your Committee on Fisheries, to whom was referred House bill No. 202, An act to protect lobsters, have considered the same, and beg leave to report the same back to your honorable body without amendment, and recommend that the same do pass.

C. T. WOODING.
B. A. SEABORG.

MR. PRESIDENT:

Your Committee on Corporations other than Municipal have carefully examined House bill No. 158, A bill for an act requiring the fencing of railroads, and report the same back without amendments and without recommendation.

N. H. OWINGS.
H. E. HOUGHTON.
F. H. LUCE.
W. J. PARKINSON.

The bill was ordered to be placed on file.

MR. PRESIDENT:

Your joint committee appointed to report what clerks, if any, can be dispensed with, request the chairmen of the various committees to report to us to-day in reference to work before them requiring further services of clerks.

J. H. LONG,
Chairman Senate Committee.

A. F. SHAW,
Chairman House Committee.

House bill No. 169, To prevent swine from running at large, was taken up, amended in section 4, and passed by the following vote:

Yeas: Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Kinnear, Landes, Lawrence, Long, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wooding—27.

Absent or not voting: Austin, Hyde, Jones, Kneeland, Payne, Thompson (G. T.), Thompson (L. F.), Wood.

SPECIAL ORDER.

On motion of Senator Fairweather, Senate bills Nos. 217 and 218 were made a special order for Wednesday, March 12, at 2 o'clock P. M.

COMMITTEE REPORT.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate bill No. 78, have had the same under consideration, and report the bill back with amendments, and, as amended, recommend its passage.

J. C. LAWRENCE, Chairman.
HENRY DRUM,
W. J. PARKINSON.

The bill (Senate bill No. 78) was taken up and amended in accordance with the recommendations of the committee; read a third time, further amended, and ordered to be engrossed.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your Committee on Internal Improvements beg leave to report House bill No. 227 back with amendment, and recommend its passage as amended.

JOHN T. WHALLEY,
J. H. LONG.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 210, entitled "An act creating the office of public administrator, and defining the duties thereof," have had the same under consideration, and now respectfully report that they have prepared a substitute therefor,

entitled "An act creating the office of public administrator, and defining the duties thereof," and recommend the passage of the substitute.

Respectfully submitted,

J. R. KINNEAR, Chairman.

Report concurred in by Senators Houghton and Whalley, the other members of said committee being absent.

MESSAGES FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, March 6, 1890.

To the President of the Senate:

I have this day signed and approved Senate bill No. 100, entitled "An act requiring all transportation companies to promptly forward all freight, and making them liable for damages when failing promptly to forward the same."

ELISHA P. FERRY.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, March 7, 1890.

To the President of the Senate:

I have this day signed and approved Senate bill No. 126, entitled "An act to provide for keeping highways in repair, and the levy and collection of road poll and road property taxes, and declaring an emergency."

Also, Senate bill No. 127, entitled "An act for laying out, opening, building and maintaining turnpike roads, and providing for counties issuing bonds for the same."

Also, Senate bill No. 125, entitled "An act to provide for laying out, establishing, altering, changing the width of, or vacating any county road, and providing for assessment, payment of damages, and providing for appeals."

ELISHA P. FERRY.

Senate bill No. 219, To regulate the practice of medicine, was taken up, and on motion of Senator Owings, laid on the table.

Senate bill No. 206, Authorizing cities and towns to construct internal improvements, was read third time, section 6 was stricken out, and the bill passed by the following vote:

Yeas: Baker, Clough, Drum, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Kinnear, Landes, Lawrence, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wooding—26.

Absent or not voting: Austin, Fairweather, Fariss, Jones, Kneeland, Long, Thompson (G. T.), Thompson (L. F.), Wood.

The emergency clause was then passed by the following vote:

Yeas: Baker, Clough, Drum, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Kinnear, Landes, Lawrence, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wooding—26.

Absent or not voting: Austin, Fairweather, Fariss, Jones, Kneeland, Long, Thompson (G. T.), Thompson (L. F.), Wood.

The Senate, at 11:50, took a recess until 2 o'clock.

AFTER RECESS.

The Senate re-assembled at 2 o'clock P. M.; president pro tem. Parkinson in the chair.

All present but Senators Austin, Baker, Fariss, Jones, Kneeland, Thompson (G. T.), Thompson (L. F.) and Watt, who were excused.

COMMITTEE REPORT.

MR. PRESIDENT:

Your Committee on Roads, Bridges and Fences report House bill No. 168, An act to authorize road districts to levy special taxes for road purposes, back without recommendation.

J. H. LONG,
E. B. HYDE,
A. T. FARISS.

Senate bill No. 212 was taken up, read third time, amended by inserting after section 7 four new sections, known as sections 8, 9, 10 and 11, the other sections were renumbered, and the bill passed by the following vote:

Yeas: Clough, Drum, Fairweather, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Kinnear, Landes, Lawrence, Long, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Vestal, Whalley, Wolfe, Wooding — 23.

Absent or not voting: Austin, Baker, Fariss, Jones, Kneeland, Luce, Thompson (G. T.), Thompson (L. F.), Van Houten, Watt, Wilson, Wood.

The emergency clause was passed by the following vote:

Yeas: Clough, Drum, Fairweather, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Kinnear, Landes, Lawrence, Long, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Vestal, Whalley, Wilson, Wolfe, Wooding — 24.

Absent or not voting: Austin, Baker, Fariss, Jones, Kneeland, Luce, Thompson (G. T.), Thompson (L. F.), Van Houten, Watt, Wood.

COMMITTEE REPORT.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills begs leave to report that Senate bill No. 167, entitled "An act for the relief of John Sullivan, *The Washington Standard* and John Miller Murphy," and Senate memorial No. 15, Relative to the Indians on the Puyallup reservation, have been

carefully compared with the engrossed copies thereof, and found correctly enrolled. J. M. SNOW, Chairman.

Senate bill No. 214 was read third time, amended in section 3 by making the word "stopped" "estopped," and striking out section 4.

The bill was passed by the following vote:

Yeas: Clough, Drum, Fairweather, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Kinnear, Landes, Lawrence, Long, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Vestal, Whalley, Wilson, Wooding — 24.

Absent or not voting: Austin, Baker, Fariss, Jones, Kneeland, Thompson (G. T.), Thompson (L. F.), Van Houten, Watt, Wolfe, Wood.

House bill No. 202 was taken up and read third time, and passed by the following vote:

Yeas: Clough, Fairweather, Forsyth, Houghton, Hunsaker, Hyde, Landes, Lawrence, Long, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Vestal, Whalley, Wooding — 19.

Absent or not voting: Austin, Baker, Drum, Fariss, Guilfoil, Jones, Kinnear, Kneeland, Payne, Thompson (G. T.), Thompson (L. F.), Van Houten, Watt, Wilson, Wolfe, Wood.

Senate bill No. 189 was taken up, read third time, amended in sections 1 and 2, and passed by the following vote:

Yeas: Clough, Drum, Fairweather, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Kinnear, Landes, Lawrence, Luce, Owings, Parkinson, Payne, Rinehart, Seaborg, Thompson (G. T.), Vestal, Watt, Whalley, Wolfe, Wooding — 23.

Absent or not voting: Austin, Baker, Fariss, Jones, Kneeland, Long, Preston, Snow, Thompson (L. F.), Van Houten, Wilson, Wood.

The emergency clause was passed by the following vote:

Yeas: Clough, Drum, Fairweather, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Kinnear, Landes, Lawrence, Luce, Owings, Parkinson, Payne, Rinehart, Seaborg, Snow, Thompson (G. T.), Vestal, Watt, Whalley, Wilson, Wolfe, Wooding — 25.

Absent or not voting: Austin, Baker, Fariss, Jones, Kneeland, Long, Preston, Thompson (L. F.), Van Houten, Wood.

On motion of Senator Drum, Senate bills Nos. 170 and 150 were indefinitely postponed.

House bill No. 158 was taken up, and on motion of Senator Kinnear, laid on the table.

Senate bill No. 179 was taken up.

The words "or superior" were inserted after the word "probate" wherever they occurred in the bill; read third time, and on motion of Senator Payne, the bill was laid on the table.

House bill No. 279 was taken up.

Amended in section 3 by inserting "court house of Pierce county, State of Washington," instead of "hospital building," read third time, and passed by the following vote:

Yeas: Baker, Clough, Drum, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Kinnear, Landes, Lawrence, Luce, Owings, Parkinson, Rinehart, Seaborg, Thompson (G. T.), Thompson (L. F.), Vestal, Whalley, Wolfe, Wooding—22.

Absent or not voting: Austin, Fairweather, Fariss, Jones, Kneeland, Long, Payne, Preston, Snow, Van Houten, Watt, Wilson, Wood.

The emergency clause was passed by the following vote:

Yeas: Baker, Drum, Fairweather, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Kinnear, Landes, Lawrence, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Van Houten, Whalley, Wolfe, Wooding—24.

Absent or not voting: Austin, Clough, Fariss, Jones, Kneeland, Long, Thompson (L. F.), Vestal, Watt, Wilson, Wood.

House bill No. 168 was, on motion of Senator Houghton, laid on the table.

Senator Drum (by consent) offered the following bill:

Senate bill No. 228, Confirming sheriffs' deeds made by the successor in office of sheriffs who have sold land located in pursuance of law, but have neglected to make deeds thereof.

Rules suspended, read first and second time by title, and referred to the Judiciary Committee.

On motion of Senator Fairweather, the Senate, at 3:40, adjourned.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 8, 1890.
10 o'clock A. M.

Senate called to order, pursuant to adjournment; president pro tem. Parkinson in the chair.

Roll called; all present except Senators Austin, Baker, Jones, Kinnear, Kneeland, Payne, Thompson (L. F.), Van Houten, Whalley and Wooding, all of whom were excused.

On motion of Senator Long, the reading of the journal was dispensed with.

COMMITTEE REPORT.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills begs leave to report, that Senate bill No. 162, entitled "An act for the relief of Miles C. Moore," has been carefully compared with the engrossed copy thereof, and found correctly enrolled. J. M. SNOW, Chairman.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 173, entitled "A bill for an act relative to actions for libel," have had the same under consideration, and now respectfully report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

Your Committee on Judiciary, to whom was referred Senate bill No. 180, entitled "An act construing and validating deeds of donation land claims," have had the same under consideration, and now respectfully report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

Your Committee on Judiciary, to whom was referred Senate bill No. 181, entitled "An act in relation to crier and bailiffs of the supreme court, defining their duties and fixing their compensation, and declaring that an emergency exists," have had the same under consideration, and now respectfully report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

Your Committee on Judiciary, to whom was referred Senate bill No. 199, entitled "A bill for an act in relation to actions of forcible entry and detainer, and unlawful detainer of property," have had the same under consideration, and now respectfully report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

Your Committee on Judiciary, to whom was referred Senate bill No. 220, entitled "An act relating to costs in the superior courts," have had

the same under consideration, and now respectfully report the same back to the Senate with the recommendation that the bill pass.

Your Committee on Judiciary, to whom was referred Senate bill No. 225, entitled "An act to amend section 3298 of chapter CCLII of the Code of Washington, relating to the exemption of firemen from jury and other duties, and declaring an emergency," have had the same under consideration, and now respectfully report the same back to the Senate with the recommendation that the bill pass.

Your Committee on Judiciary, to whom was referred House bill No. 242, entitled "A bill for an act entitled 'An act in relation to the commencement of civil actions in the superior courts of this state,'" have had the same under consideration, and now respectfully report the same back to the Senate, with the recommendation that the bill be indefinitely postponed.

Your Committee on Judiciary, to whom was referred House bill No. 283, entitled "A bill for an act providing for the dividing of the counties of this state into commissioner districts, have had the same under consideration, and now report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

Respectfully submitted,

J. R. KINNEAR, Chairman.

Report concurred in by Senators Houghton, Whalley and Payne, being all the members of said committee present.

The reports were laid on the table.

On motion of Senator Lawrence, the education bill was ordered to be printed as soon as possible.

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, March 8th, 1890.

To the Honorable the Senate of the State of Washington:

I have appointed H. L. Tibballs, Jr., L. B. Hastings and Nelson J. Laubach as members of the board of health for the collection district of Puget Sound, and ask that the Senate advise and consent thereto.

ELISHA P. FERRY.

The Senate went into executive session with open doors, and confirmed the nominations by the following vote:

Yeas: Drum, Fairweather, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Landes, Lawrence, Long, Luce, Parkinson, Rinehart, Seaborg, Snow, Vestal, Wilson, Wolfe — 19.

Absent or not voting: Austin, Baker, Clough, Jones, Kinnear, Kneeland, Owings, Payne, Preston, Thompson (G. T.), Thompson (L. F.), Van Houten, Watt, Whalley, Wood, Wooding.

The Senate then resumed its session.

On motion of Senator Fariss, clerks C. B. Fox and P. S. Dorney were ordered to be discharged from date.

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, March 8th, 1890.

To the Honorable the Senate and House of Representatives:

I transmit herewith a communication from the Hon. J. B. Metcalfe, the first attorney-general of the Territory of Washington, and suggest that the legislature take such action in the matter as it may deem proper and advisable.

ELISHA P. FERRY.

METCALFE, TURNER & BURLEIGH, 614 THIRD STREET,
SEATTLE, March 5th, 1890.

Hon. Elisha P. Ferry, Governor of the State of Washington, Olympia:

SIR—I forward by Mr. E. L. Ames of this city, an oil painting of myself, which I desire to tender to the State of Washington.

This idea suggested itself to me by reason of the fact that the portraits of the different attorneys-general of the United States adorn the walls of the department of justice at Washington, D. C., and I thought, having the honor to be the first attorney-general of the Territory of Washington, that it would not be an immodest act to begin this innovation as far as states are concerned. For history's sake I thought it might be well to preserve the physical likenesses of those men whose privilege it was to represent her interests in public life. I have the honor to be,

Very respectfully,
Your obedient servant,
(Signed) J. B. METCALFE.

On motion of Senator Owings the matter was made a special order for 11 o'clock.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared, and announced that he was instructed by the House to inform the Senate that the speaker has signed House bill No. 284, Relating to the recording of cash and final receipts.

Also, House memorial No. 21, Praying congress to improve Port Townsend Bay, which have passed both houses, and been reported correctly enrolled.

The speaker has signed Senate bill No. 82, Providing for the release of sureties on official bonds, etc., which has passed both houses, been signed by the president of the Senate, and the same is herewith returned to the Senate for transmission to the governor.

The House has passed Senate memorial No. 28, Praying for the passage of a bill for a bridge across the Columbia at Vancouver.

Also, Senate concurrent resolution No. 43, Fixing the date of final adjournment on the 28th inst.

The House has receded from its amendments non-concurred in by the Senate to Senate bill No. 147, To prevent the obstruction of highways, etc.

INTRODUCTION OF BILLS.

By Senator Forsyth (by request): Senate bill No. 230, To regulate, restrain and license the sale of intoxicating liquors.

Rules suspended, read first and second time by title, and referred to the Committee on Internal Improvements.

By Senator Fairweather: Senate bill No. 229, To provide for the appointment of persons to represent the state in certain cases.

Rules suspended, read first and second time by title, and referred to the Committee on Salaries.

Senate bill No. 147, Senate memorial No. 28, and Senate concurrent resolution No. 43 were ordered to be enrolled.

Senate bill No. 225 was taken from the table, and passed by the following vote:

Yeas: Drum, Fairweather, Fariss, Forsyth, Houghton, Htnsaker, Hyde, Landes, Lawrence, Long, Luce, Owings, Parkinson, Preston, Seaborg, Snow, Vestal, Watt, Wilson, Wolfe—20.

Absent or not voting: Austin, Baker, Clough, Guilfoil, Jones, Kinnear, Kneeland, Payne, Rinehart, Thompson (G. T.), Thompson (L. F.), Van Houten, Whalley, Wood, Wooding.

The bill was then laid on the table.

COMMITTEE REPORT.

MR. PRESIDENT:

Your committee, to whom was referred Senate bill No. 134, beg leave to report back the same, and recommend its passage.

F. H. LUCE, Chairman,
E. B. HYDE,
J. M. SNOW.

The bill (Senate bill No. 134) was taken up, and on motion of Senator Luce, laid on the table.

Senator Fairweather in the chair.

On motion of Senator Long, House bill No. 168, Relative to road districts, was taken up, amended in the proviso of section 1 and at the end of section 3; the bill was read a third time, and passed by the following vote:

Yeas: Clough, Drum, Fairweather, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Landes, Lawrence, Long, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Vestal, Watt, Wolfe—22.

Nays: Thompson (G. T.)—1.

Absent or not voting: Austin, Baker, Jones, Kinnear, Kneeland, Payne, Thompson (L. F.), Van Houten, Whalley, Wilson, Wood, Wooding.

Senate bill No. 231, by the Committee on Medicine, Surgery and Hygiene, To regulate the practice of pharmacy and licensing of persons to carry on such practice, and the sale of poisons in the State of Washington.

Rules suspended, read first and second time by title, placed on file and ordered to be printed.

SPECIAL ORDER.

At 11 o'clock Senator Rinehart offered Senate concurrent resolution No. 44, Authorizing the governor to accept a portrait of ex-Attorney-General Metcalfe.

The resolution was unanimously adopted.

Senate joint memorial No. 29 was offered by Senator Hunsaker. To deepen the channel of the harbor of Olympia from Tumwater to deep water.

Rules suspended, read first and second time by title; rules further suspended and passed by the following vote:

Yeas: Clough, Drum, Fairweather, Guilfoil, Houghton, Hunsaker, Hyde, Landes, Lawrence, Long, Luce, Owings, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Vestal, Watt, Wilson, Wolfe—21.

Nays: Fariss—1.

Absent or not voting: Austin, Baker, Forsyth, Jones, Kinnear, Kneeland, Parkinson, Payne, Thompson (L. F.), Van Houten, Whalley, Wood, Wooding.

On motion of Senator Owings, the Senate, at 11:15 A. M., adjourned until 2 o'clock Monday.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 10, 1890.
2 o'clock P. M.

Senate called to order pursuant to adjournment; president in the chair.

Roll call; all present but Senators Austin, Baker, Drum, Hyde, Kinnear, Kneeland, Rinehart, Wilson and Wood, who were excused.

On motion of Senator Hunsaker, the reading of the journal of the preceding day was dispensed with.

Senator L. F. Thompson from the Committee on University Lands Inquiry, asked leave of absence to go to Seattle to get the evidence of Judge H. G. Struve and others therein, Judge Struve having been subpœned by the committee and came to Olympia but the committee failed to meet.

Leave was granted by a divisional vote: Yeas 12, nays 6.

Senator Houghton moved that it be the sense of the Senate that the introduction of bills in the senate, from committees, on subjects which have been referred to said committees, can take place at any time before the adjournment of the Senate.

Unanimously agreed to.

COMMITTEE REPORTS.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred Senate bill No. 223, beg to report that they have had the same under consideration, and now report the same back with a substitute, and recommend the passage of the substitute.

N. H. OWINGS,
H. E. HOUGHTON,
W. J. PARKINSON,
F. H. LUCE.

MR. PRESIDENT:

Your standing Committee on Engrossed Bills beg leave to report that Senate bill No. 78, entitled "An act to establish a system of common schools in cities of ten thousand inhabitants, and to provide for properly maintaining, governing and grading the same," has been carefully compared with the original bill, and found correctly engrossed.

THOS. PAYNE, Chairman,
J. C. LAWRENCE,
Members of Committee.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills beg leave to report that Senate bill No. 172, entitled "An act to provide for submitting the question of the permanent location of the seat of government to a vote of the people," has been carefully compared with the engrossed copy thereof, and found correctly enrolled. J. M. SNOW, Chairman.

MR. PRESIDENT:

We, your Committee on School for Defective Youth, have examined House bill No. 209, Making an appropriation for the completion of the school building, and recommend its passage without amendments.

L. B. CLOUGH,
C. T. WOODING,
C. E. FORSYTH,
Committee.

MR PRESIDENT:

Your Committee on Roads, Bridges and Fences have had under consideration Senate bill No. 192, An act to authorize cities and incorporated towns to erect and maintain draw bridges over navigable streams; also, Senate bill No. 193, An act to provide for bridges across navigable streams, etc., and beg leave to report without recommendation.

J. H. LONG,
A. T. FARISS.

The president announced that he was about to sign Senate bill No. 172, Senate bill No. 162, Senate memorial No. 15 and Senate bill No. 167, which was done.

House bill No. 209 was referred to the committee of the whole.

INTRODUCTION OF BILLS.

By Senator Wolfe: Senate bill No. 232, An act to regulate professional charges of physicians, etc., and providing a penalty therefor.

Rules suspended, read first and second time by title, and referred to the Committee on Medicine, Surgery and Hygiene.

By Senator Payne: Senate bill No. 233, An act to define, declare and establish the rights and obligations of telegraph and telephone corporations and companies.

Rules suspended, read first and second time by title, and referred to the Judiciary Committee.

Senate bill No. 223 was, on motion of Senator Parkinson, taken up, and passed by the following vote:

Yeas: Clough, Fairweather, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Landes, Long, Luce, Owings, Parkinson, Payne,

Preston, Seaborg, Snow, Thompson (G. T.), Van Houten, Vestal, Wolfe, Wooding — 22.

Nays: Lawrence, Whalley — 2.

Absent or not voting: Austin, Baker, Drum, Hyde, Kinnear, Kneeland, Rinehart, Thompson (L. F.), Watt, Wilson, Wood.

The bill was then laid on the table.

House bill No. 209 was taken up, and the Senate went into committee of the whole on the same.

Senator Long in the chair.

The committee arose and reported the bill to the Senate.

President pro tem. Parkinson in the chair.

The bill was read a third time, and passed by the following vote:

Yeas: Clough, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Landes, Long, Luce, Owings, Parkinson, Payne, Preston, Seaborg, Snow, Thompson (G. T.), Van Houten, Vestal, Watt, Whalley, Wolfe — 22.

Absent or not voting: Austin, Baker, Drum, Fairweather, Hyde, Kinnear, Kneeland, Lawrence, Rinehart, Thompson (L. F.), Wilson, Wood, Wooding.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared, and announced that he had been instructed by the House to inform the Senate that the speaker has signed House bill No. 29, Defining trespass.

Also, House memorial No. 22, To make Port Angeles a sub-port of entry.

Also, House bill No. 102, To prevent bulls from running at large.

Also, House bill No. 253, Relating to actions to recover and affecting real property.

Also, House bill No. 162, Relating to the insane of the state.

Also, House bill No. 229, Regulating boom companies, etc., all of which have passed both houses and been correctly enrolled.

And the same are herewith transmitted to the Senate for the signature of the president.

The House has passed House bill No. 259, To regulate and license insurance business in this state.

Also, House bill No. 298, To amend an act providing for the use of water for irrigation.

Also, Senate bill No. 121, Providing for the compulsory education of defective youth.

Also, Senate concurrent resolution No. 44, Authorizing the governor to accept the portrait of ex-Attorney-General Metcalfe.

Also, House bill No. 168, An act to authorize road districts to levy special taxes, passed by the Senate, with amendments, is hereby respectfully returned for correction of history of amendments.

Senate bill No. 78, engrossed, was passed by the following vote:

Yeas: Clough, Forsyth, Guilfoil, Houghton, Jones, Landes, Lawrence, Long, Owings, Parkinson, Payne, Preston, Seaborg, Snow, Thompson (G. T.), Van Houten, Vestal, Watt, Whalley, Wolfe, Wooding—21.

Absent or not voting: Austin, Baker, Drum, Fairweather, Fariss, Hunsaker, Hyde, Kinnear, Kneeland, Luce, Rinehart, Thompson (L. F.), Wilson, Wood.

House bill No. 168 was returned to the House with correction of amendment: To strike out all after the word "funds" in section 3, instead of "as other."

Senate bill No. 193 was taken up, read third time, amended in section 17 and passed by the following vote:

Yeas: Clough, Guilfoil, Houghton, Hunsaker, Lawrence, Long, Owings, Parkinson, Payne, Preston, Seaborg, Thompson (G. T.), Van Houten, Vestal, Watt, Whalley, Wolfe, Wooding—18.

Nays: Fairweather, Forsyth, Landes—3.

Absent or not voting: Austin, Baker, Drum, Fariss, Hyde, Jones, Kinnear, Kneeland, Luce, Rinehart, Snow, Thompson (L. F.), Wilson, Wood.

Senate bill No. 165 was, on motion of Senator Landes, taken up, the House amendments concurred in and the bill ordered to be enrolled.

The House amendments were concurred in by the following vote.

Yeas: Clough, Fairweather, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Landes, Lawrence, Long, Luce, Owings, Parkinson, Payne, Preston, Seaborg, Thompson (G. T.), Vestal, Watt, Whalley, Wolfe, Wooding—22.

Absent or not voting: Austin, Baker, Drum, Fariss, Hyde, Kinnear, Kneeland, Rinehart, Snow, Thompson (L. F.), Van Houten, Wilson, Wood.

Senate bill No. 192 was taken up, and passed by the following vote:

Yeas: Clough, Fairweather, Fariss, Forsyth, Guilfoil, Houghton,

Hunsaker, Jones, Lawrence, Long, Luce, Owings, Parkinson, Payne, Preston, Seaborg, Vestal, Watt, Whalley, Wolfe, Wooding—27.

Absent or not voting: Austin, Baker, Drum, Hyde, Kinnear, Kneeland, Landes, Rinehart, Snow, Thompson (L. F.), Thompson (G. T.), Van Houten, Wilson, Wood.

The bill was then laid on the table.

House bill No. 230 was, on motion of Senator Seaborg, taken up, read a third time, amemded by a substitute for section 8; strike out in section 9, after the word "act," down to "two," and insert "provided" before "two."

The bill was, on motion of Senator Owings, re-committed to the committee with instructions to amend.

President in the chair.

The president announced that he was about to sign House bill No. 229, House bill No. 102, House memorial No. 22, House bill No. 253, House bill No. 29 and House bill No. 162, which was done.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your standing Committee on Elections and Privileges, to whom was referred Senate bill No. 36, Relating to the registration of voters, beg leave to report that we have carefully considered the same, and herewith return it to the Senate with amendments, and recommend its passage as amended.

ALEX. WATT,
B. C. VAN HOUTEN,
H. W. FAIRWEATHER.

The other members of the committee being absent.

MR. PRESIDENT:

Your standing Committee on Elections and Privileges, to whom was referred Senate bill No. 19, Relating to the registration of the names of electors, beg leave to report that we have carefully considered the same, and herewith return it to the Senate with the recommendation that it be indefinitely postponed, for the reason that the same subject matter is covered in Senate bill No. 36, the passage of which this committee has recommended, with amendments.

ALEX. WATT,
B. C. VAN HOUTEN,
H. W. FAIRWEATHER.

The other members of the committee being absent.

On motion of Senator Owings, the Senate, at 4:45, adjourned until 2 P. M. to-morrow.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 11, 1890.
2 o'clock P. M.

Senate called to order pursuant to adjournment; president in the chair.

Roll call; all present but Senators Baker, Hyde, Kneeland, Payne, Rinehart, Thompson (L. F.) and Wood, who were excused.

On motion of Senator Luce, the reading of the journal was dispensed with.

On motion of Senator Vestal, Senate bill No. 5 (substitute bill), Providing for the organization, classification, incorporation and government of municipal corporations, was taken up and read to section 24.

Amendments were made to sections 3, 7, 4, section 1, chapter 5, sections 9, 15 and 17, and the bill was laid on the table.

MESSAGE FROM THE HOUSE.

The assistant chief clerk of the House appeared, and announced that he was instructed by the House to inform the Senate that the House has passed House bill No. 297, Regulating the practice of medicine and surgery; has also passed the emergency clause.

Also, Senate bill No. 195, Relating to witnesses and evidence.

Also, House bill No. 170, Amending laws governing the officers of the territorial penitentiary.

Also, House bill No. 291, Authorizing organized counties to issue bonds, etc.

Also, Senate bill No. 194, Providing a single and uniform method of removing causes from the superior to the supreme court.

Also, House bill No. 262, Enabling the Indians to alien and sell the lands of the Puyallup reservation.

The House has passed House bill No. 306, An act providing for the better security of life and limb in case of fire in hotels and other buildings, with an emergency clause.

Also, House bill No. 276, Making appropriation of $40,000 for the penitentiary.

Also, Senate bill No. 184, Granting the United States the use of certain tide lands.

Also, House bill No. 296, An act to protect liens.

Also, Senate bill No. 151, Appropriating money to pay for material for the Washington School for Defective Youth.

The speaker has signed House bill No. 169, An act to restrain swine from running at large, which has passed both houses and been correctly enrolled.

Also, House bill No. 279, An act entitled "An act authorizing the board of trustees of the Hospital for the Insane at Fort Steilacoom to sell a certain tract of land and to purchase other land, and declaring an emergency to exist."

The House has passed House bill No. 293, An act establishing a unit of measure for water for irrigation, manufacturing, mining, milling and mechanical purposes.

The speaker has signed Senate bill No. 163, An act for the relief of Miles C. Moore.

Also, Senate bill No. 167, An act for the relief of John Sullivan, *The Washington Standard* and John Miller Murphy.

Also, Senate bill No. 172, An act to provide for submitting the question of the permanent location of the seat of government, and Senate memorial No. 15, Relative to the Indians on the Puyallup reservation.

And the same are herewith returned to the Senate for transmission to the governor.

The speaker has signed House bill No. 202, An act to protect lobsters, and the same is herewith transmitted to the Senate for the signature of the president.

House bill No. 182, To locate a normal school at Cheney, was taken up, read third time and laid on table.

On motion of Senator Drum Senate bill 225 was taken up.

President in the chair.

The emergency clause was rejected by the following vote:

Yeas: Austin, Clough, Drum, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Kinnear, Landes, Lawrence, Long, Luce, Owings, Parkinson, Preston, Seaborg, Snow, Thompson (G. T.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wooding—27.

Absent or not voting: Baker, Fairweather, Hyde, Kneeland, Payne, Rinehart, Thompson (L. F.), Wood.

On motion of Senator Parkinson, Senate bill No. 223 was taken up.

On motion of Senator Houghton, the vote by which the bill passed was, by unanimous consent, reconsidered, and the bill amended as follows:

Insert between "across" and "which," the words "over navigable streams in this state over."

The bill was passed, as amended, by the following vote:

Yeas: Austin, Clough, Drum, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Kinnear, Landes, Lawrence, Luce, Owings, Parkinson, Preston, Seaborg, Snow, Thompson (G. T.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wooding—25.

Absent or not voting: Baker, Fairweather, Hyde, Jones, Kneeland, Long, Payne, Rinehart, Thompson (L. F.), Wood.

The emergency clause was passed by the following vote:

Yeas: Austin, Clough, Drum, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Kinnear, Landes, Lawrence, Long, Luce, Owings, Parkinson, Preston, Seaborg, Snow, Thompson (G. T.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wooding—27.

Absent or not voting: Baker, Fairweather, Hyde, Kneeland, Payne, Rinehart, Thompson (L. F.), Wood.

Senate bill No. 192 was taken up.

The emergency clause passed by the following vote:

Yeas: Austin, Clough, Drum, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Kinnear, Landes, Lawrence, Long, Luce, Owings, Parkinson, Preston, Seaborg, Snow, Thompson (G. T.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wooding—27.

Absent or not voting: Baker, Fairweather, Hyde, Kneeland, Payne, Rinehart, Thompson (L. F.), Wood.

The president announced that he was about to sign Senate bill No. 82, Senate bill No. 162, Senate memorial No. 15, Senate bill No. 167, Senate bill No. 172, House memorial No. 21, House bill No. 169, House bill No. 279, House bill No. 202, House bill No. 284, which was done.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills begs leave to report, that Senate bill No. 187, entitled "An act providing for printing and distributing ballots at public expense, and to regulate voting at state and other elections," and Senate memorial No. 28, Praying for the passage of a bill to authorize the Oregon Railway Extension Company to construct a bridge across the Columbia river at the city of Vancouver; also Senate

concurrent resolution No. 43, Relative to adjournment sine die, have been carefully compared with the engrossed copies thereof, and found correctly enrolled. J. M. SNOW, Chairman.

The president announced that he was about to sign Senate bill No. 187, Senate Memorial No. 28, Senate concurrent resolution No. 43, which was done.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your standing Committee on Elections and Privileges, to whom was referred Senate bill No. 4, Relating to primary elections, have carefully considered the same, and herewith return it to the Senate with amendments, and recommend its passage as amended.

ALEX. WATT,
B. C. VAN HOUTEN,
E. T. WILSON,
C. G. AUSTIN.

MR. PRESIDENT:

Your Committee on Mines and Mining, to whom was referred Senate bill No. 72, have had the same under consideration, and recommend that it pass as amended.

J. H. JONES,
JOHN T. WHALLEY,
ALEX. WATT.

MR. PRESIDENT:

Your Committee on Labor Statistics, to whom was referred House bill No. 132, For the protection of discharged employes, and to prevent blacklisting, have had the same under consideration, and return the same without recommendation.

Your Committee on Labor and Labor Statistics, to whom was referred House bill No. 165, entitled "An act protecting wages of laborers and operatives," have had the same under consideration, and recommend that it do pass.

J. H. JONES,
JOHN T. WHALLEY,
ALEX. WATT.

MR. PRESIDENT:

Your Committee on Mines and Mining, to whom was referred House bill No. 151, An act to secure persons and animals from danger arising from mining, have had the same under consideration and recommend that it do pass as amended.

Your Committee on Mines and Mining, to whom was referred House bill No. 150, An act relating to the location of mill sites for milling and reducing ores, and declaring an emergency, have had the same under consideration and recommend that it do pass.

J. H. JONES,
J. HUNSAKER,
F. H. LUCE.

MR. PRESIDENT:

Your Committee on Mines and Mining, to whom was referred Senate bill No. 37, have had the same under consideration and recommend that it be indefinitely postponed.

J. H. JONES,
J. HUNSAKER,
F. H. LUCE.

The report was adopted.

Senate bill No. 5 was again taken up.

Senator Hunsaker in the chair.

Amendments were made to section 48. The word "recorder," wherever it occurs in the bill, was made to read "auditor."

Amendments were made in sections 50, 52, 60, 63, 64, 59, 67 and 74.

At 4:45, chapter 6 of the bill having been reached, the Senate, on motion of Senator Whalley, adjourned.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 12, 1890.
10 o'clock A. M.

Senate called to order pursuant to adjournment; president in the chair.

Roll call; all present except Senators Baker, Fairweather, Fariss, Houghton, Hyde, Payne, Thompson (G. T.) and Thompson (L. F.), who were excused.

On motion of Senator Luce, substitute for Senate bill No. 5 was taken up, and chapter 6 was read.

Senator Hunsaker in the chair.

Amendments were made to sections 2 and 6, ninth subdivision; the head lines before section 14 were stricken out; amendments were made to subdivision 11, line 42; section 16, line 5; a substitute was adopted for sections 16 and 17; section 20 was amended in the proviso; section 32 was amended.

President in the chair.

MESSAGE FROM THE HOUSE.

The assistant chief clerk of the House appeared and announced that he had been instructed by the House to inform the Senate

that the House has passed House bill No. 272, An act for the appraising and disposing of tide and shore lands belonging to the State of Washington, but failed to pass the emergency clause.

On motion of Senator Whalley, a recess was, at 12 M., taken until 1:30 P. M.

AFTER RECESS.

The Senate met at 1:30 P. M.; president in the chair.

Roll called; all present but Senators Baker, Houghton; Hyde, Kneeland, Payne, Thompson (G. T.) and Thompson (L. F.), who were excused.

COMMITTEE REPORT.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills begs leave to report, that Senate bill No. 82, entitled "An act providing for the release of sureties on official bonds and undertakings;" and Senate bill No. 162, entitled "An act for the relief of Miles C. Moore;" and Senate bill No. 167, entitled, "An act for the relief of John Sullivan and Washington Standard and John Miller Murphy;" also, Senate bill No. 172, entitled "An act to provide for submitting the question of the permanent location of the seat of government to a vote of the people;" and Senate memorial No. 15, Relative to the Indians on the Puyallup reservation, have, on this 12th day of March, 1890, been forwarded to his excellency the governor, for his approval.

J. M. SNOW, Chairman.

Senator Kinnear in the chair.

Senate bill No. 5 (substitute) was taken up at chapter 7; amendments were made to chapter 6, article 3, section 13, to make it read "1,500 inhabitants" instead of "2,000;" chapter 2 amended in same manner; amendments were made to chapter 6, article 2, section 4, and to chapter 7, sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 13, 16, 17; subdivision 11 of section 13; sections 15, 20, 28 and 18.

The bill having been read a third time, was, on motion of Senator Wilson, considered engrossed, and passed by the following vote:

Yeas: Clough, Fariss, Forsyth, Guilfoil, Hunsaker, Jones, Kinnear, Landes, Lawrence, Long, Luce, Parkinson, Preston, Rinehart, Seaborg, Snow, Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wooding — 23.

Nays: Drum — 1.

Absent or not voting: Austin, Baker, Fairweather, Houghton, Hyde, Kneeland, Owings, Payne, Thompson, (G. T.), Thompson (L. F.), Wood.

The emergency clause was passed by the following vote:

Yeas: Clough, Drum, Fairweather, Fariss, Forsyth, Guilfoil, Hunsaker, Jones, Kinnear, Landes, Lawrence, Long, Luce, Parkinson, Preston, Rinehart, Seaborg, Snow, Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wooding — 25.

Absent or not voting: Austin, Baker, Houghton, Hyde, Kneeland, Owings, Payne, Thompson (G. T.), Thompson (L. F.), Wood.

MESSAGE FROM THE HOUSE.

The assistant chief clerk appeared and announced that he was instructed by the House to inform the Senate that the House has concurred in the Senate amendments to House bill No. 168, An act to authorize road districts to levy special taxes for road and bridge purposes, and has ordered the bill enrolled.

The speaker has signed Senate bill No. 187, Providing and distributing ballots at public expense, etc., Senate concurrent resolution No. 43, Relative to adjournment, and Senate memorial No. 28, Relative to bridging the Columbia river at Vancouver, and the same are returned for transmission to the governor.

President in the chair.

House bill No. 182 was, on motion of Senator Watt, taken up. It failed of passage by the following vote:

Yeas: Clough, Drum, Forsyth, Guilfoil, Hunsaker, Jones, Kinnear, Lawrence, Long, Parkinson, Seaborg, Snow, Van Houten, Whalley, Wilson, Wooding — 15.

Nays: Fairweather, Preston, Watt, Wolfe — 4.

Absent or not voting: Austin, Baker, Fariss, Houghton, Hyde, Kneeland, Landes, Luce, Owings, Payne, Rinehart, Thompson (G. T.), Thompson (L. F.), Vestal, Wood.

Senator Watt having changed his vote to the negative, gave notice of a motion to reconsider.

House bill No. 259 was referred to Committee on Corporations other than Municipal, after being read first and second time by title.

Senate concurrent resolution No. 44 was ordered to be enrolled.

Senate bill No. 121 was ordered to be enrolled.

House bill No. 298: Read first and second time by title, by suspension of rules, and referred to Committee on Corporations.

House bill No. 270: Same action, and referred to Committee on State Prisons.

House bill No. 262: Same action, and referred to Committee on Indian Affairs.

Senate bill No. 195 was ordered to be enrolled.

House bill No. 291 was, on motion of Senator Fairweather, laid on the table.

House bill No. 276 was read first and second time by title, under suspension of the rules, and referred to the committee of the whole.

House bill No. 296: Same action; referred to Judiciary Committee.

Senate bill No. 194 was ordered to be enrolled.

Senate bill No. 151 was ordered to be enrolled.

House bill No. 297: Rules suspended, read first and second time by title, and referred to the Committee on Medicine and Surgery.

House bill No. 293: Same action; referred to Committee on Mines and Mining.

House bill No. 306: Same action; referred to Committee on Corporations.

Senate bill No. 184 was ordered to be enrolled.

House bill No. 272: Rules suspended, read first and second time by title, and referred to the Committee on Tide Lands.

THIRD READING OF BILLS.

Senate bill No. 226, In relation to costs in convictions for felony before the superior courts of the state, etc., was read third time and passed by the following vote:

Yeas: Clough, Drum, Fariss, Forsyth, Guilfoil, Houghton, Humsaker, Jones, Kinnear, Landes, Lawrence, Long, Luce, Owings, Preston, Rinehart, Seaborg, Thompson (G. T.), Vestal, Whalley, Wilson, Wolfe, Wooding — 23.

Absent or not voting: Austin, Baker, Fairweather, Hyde, Kneeland, Parkinson, Payne, Snow, Thompson (L. F.), Van Houten, Watt, Wood.

The emergency clause was passed by the following vote:

Yeas: Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Houghton, Humsaker, Jones, Kinnear, Landes, Lawrence, Long, Luce, Parkinson, Payne, Preston, Seaborg, Snow, Van Houten, Watt, Whalley, Wilson, Wolfe, Wooding — 25.

Absent or not voting: Austin, Guilfoil, Hyde, Kneeland, Owings, Rinehart, Thompson (G. T.), Thompson (L. F.), Vestal, Wood.

House bill No. 132, For the protection of discharged employes, failed of passage by the following vote:

Yeas: Fairweather, Houghton, Humsaker, Jones, Lawrence, Parkinson, Rinehart, Seaborg, Snow, Van Houten, Vestal, Wooding—20.

Nays: Forsyth, Guilfoil, Kinnear, Landes, Watt, Whalley, Wolfe—7.

Absent or not voting: Austin, Baker, Clough, Drum, Fariss, Hyde, Kneeland, Long, Luce, Owings, Payne, Preston, Thompson (G. T.), Thompson (L. F.), Wilson, Wood.

Senator Kinnear having changed his vote in the negative, gave notice of a motion to reconsider the vote by which the bill failed to pass.

Senate bill No. 36, with amendments, was read and ordered to be printed.

House bill No. 165, To protect wages of laborers and operatives, was read third time.

A call of the house was moved by Senator Kinnear, seconded by Senators Jones, Rinehart and Houghton.

The following named Senators, who were not excused, were found absent: Clough, Forsyth, Long, Wilson and Thompson (G. T.). The latter was, on motion, excused.

The sergeant-at-arms was instructed to bring in the absent members wherever found.

Senator Landes in the chair.

Senator Clough was brought before the bar.

President in the chair.

On motion of Senator Landes, further proceedings under the call were dispensed with, and on motion of Senator Fariss, the Senate, at 5 o'clock P. M., adjourned.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 13, 1890.
10 o'clock A. M.

Senate called to order pursuant to adjournment; president in the chair.

Roll call: all present except Senators Baker, Kneeland, Luce, Snow, Thompson (G. T.), Thompson (L. F.), Vestal and Wood, who were excused.

On motion of Senator Whalley, the reading of the minutes was dispensed with.

Senator Vestal was on motion excused for one day.

House bill No. 165 was placed on its final passage, and failed by the following vote:

Yeas: Fairweather, Forsyth, Jones, Kinnear, Owings, Parkinson, Rinehart, Van Houten, Watt, Whalley — 10.

Nays: Austin, Clough, Guilfoil, Houghton, Hunsaker, Landes, Long, Preston, Seaborg, Wolfe, Wooding — 11.

Absent or not voting: Baker, Drum, Fariss, Hyde, Kneeland, Lawrence, Luce, Payne, Snow, Thompson (G. T.), Thompson (L. F.), Vestal, Wilson, Wood.

Senate bill No. 72, To prevent throwing refuse material from mines into streams of water, with an amendment from the Committee on Mines and Mining.

The amendment was adopted.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he was instructed by the House to inform the Senate that the House has passed House bill No. 264, An act to provide for the sale and leasing of school lands, and declaring an emergency, and has also passed the emergency clause.

The House has adopted the report of the committee of free conference on Senate bill No. 143, Relative to soldiers' home.

Senate bill No. 72 was further amended, and then failed of passage by the following vote:

Yeas: Austin, Clough, Fariss, Guilfoil, Houghton, Hunsaker,

Hyde, Luce, Parkinson, Rinehart, Seaborg, Watt, Whalley, Wilson, Wolfe — 14.

Nays: Drum, Fairweather, Kinnear, Landes, Long, Wooding — 6.

Absent or not voting: Baker, Forsyth, Jones, Kneeland, Lawrence, Owings, Payne, Preston, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Wood.

Senator Kinnear having changed his vote to the negative, gave notice of a motion to reconsider the vote by which the bill failed to pass.

Senate bill No. 4, Relative to primary elections, was read.

Vice President pro tem. Parkinson in the chair.

All of the committee amendments were adopted, the bill read a third time and passed by the following vote:

Yeas: Austin, Clough, Drum, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Kinnear, Landes, Lawrence, Long, Owings, Parkinson, Preston, Seaborg, Snow, Van Houten, Watt, Wilson, Wolfe, Wooding — 22.

Absent or not voting: Baker, Fairweather, Fariss, Hyde, Kneeland, Luce, Payne, Rinehart, Thompson (G. T.), Thompson (L. F.), Vestal, Whalley, Wood.

The emergency clause was passed by the following vote:

Yeas: Austin, Clough, Drum, Fariss, Guilfoil, Forsyth, Houghton, Hunsaker, Hyde, Jones, Kinnear, Landes, Lawrence, Long, Owings, Parkinson, Payne, Preston, Rinehart, Thompson (L. F.), Vestal, Watt, Whalley, Wilson, Wooding — 25.

Absent or not voting: Baker, Fairweather, Kneeland, Luce, Seaborg, Snow, Thompson (G. T.), Van Houten, Wolfe, Wood.

REPORT OF JOINT CONFERENCE COMMITTEE.

MR. PRESIDENT:

The joint free conference committee, appointed by the Senate and House on Senate bill No. 153, In relation to a soldiers' home, etc., have had the matters so referred to it under consideration, have duly considered the same, and as a result of such conference, respectfully report and recommend that section 4 be amended by striking out the following words, to wit: "At least three of whom must be honorably discharged

union soldiers, sailors or marines, and two of whom must be members of the state militia," in lines 3 and 4, page 2 of printed bill.

J. R. KINNEAR,
W. J. PARKINSON,
H. H. WOLFE,
HENRY LANDES,
C. T. WOODING,
Senate Committee.

AMOS SHAW,
A. K. CLARK,
E. D. NASH,
ALEX. ROBERTSON,
C. G. BLACKFAN,
B. R. OSTRANDER,
House Committee.

The conference committee report was adopted by the following vote:

Yeas: Clough, Fariss, Forsyth, Guilfoil, Hunsaker, Hyde, Jones, Kinnear, Landes, Lawrence, Long, Parkinson, Payne, Rinehart, Seaborg, Vestal, Wilson, Wooding — 19.

Nays: Houghton, Preston, Watt — 3.

Absent or not voting: Austin, Baker, Drum, Fairweather, Kneeland, Luce, Owings, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Whalley, Wolfe, Wood.

House bill No. 151, Relative to danger in mines, was read third time, the amendment of the committee was adopted, and the words "provided the cable shall break" inserted after the word "sunk," in section 7.

The bill was passed by the following vote:

Yeas: Austin, Clough, Drum, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Jones, Kinnear, Landes, Long, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Van Houten, Watt, Whalley, Wilson, Wolfe, Wooding — 24.

Absent or not voting: Baker, Fairweather, Fariss, Kneeland, Lawrence, Luce, Snow, Thompson (G. T.), Thompson (L. F.), Vestal, Wood.

President in the chair.

House bill No. 150 was then taken up, Relative to location of mill sites.

Read third time, and passed by the following vote:

Yeas: Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Jones,

Kinnear, Lawrence, Long, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Watt, Whalley, Wilson, Wolfe, Wooding — 20.

Absent or not voting: Austin, Baker, Clough, Drum, Fairweather, Fariss, Kneeland, Landes, Luce, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Wood.

The emergency clause was passed by the following vote:

Yeas: Austin, Drum, Fairweather, Fariss, Forsyth, Guilfoil, Hunsaker, Hyde, Jones, Kinnear, Landes, Lawrence, Long, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Van Houten, Vestal, Whalley, Wilson, Wolfe, Wooding — 25.

Absent or not voting: Baker, Clough, Houghton, Kneeland, Luce, Snow, Thompson (G. T.), Thompson (L. F.), Watt, Wood.

Senate bill No. 227, Relative to public administrator, was read third time, and on motion of Senator Houghton, laid on the table.

On motion of Senator Jones, the Senate took a recess at 11:45, until 1:30 o'clock P. M.

AFTER RECESS.

The Senate met after recess.

All present but Senators Baker, Luce and Wood, who were excused.

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, March 13, 1890.

To the President of the Senate:

I have this day signed and approved Senate bill No. 162, entitled "An act for the relief of Miles C. Moore."

Also, Senate bill No. 167, entitled "An act for the relief of John Sullivan, *The Washington Standard*, and John Miller Murphy."

ELISHA P. FERRY.

INTRODUCTION OF BILLS.

By Senator Kinnear: Senate bill No. 234, An act relating to building, loan and savings associations doing a local business in this state.

Rules suspended, read first and second time by title, and referred to the Judiciary Committee.

By Senator L. F. Thompson: An act empowering all private corporations chartered by special acts of the Legislative Assembly of the Territory of Washington to acquire, hold, possess and dispose of property in excess of the amount limited by such acts.

Rules suspended, read first and second time by title, and referred to Judiciary Committee.

COMMITTEE REPORT.

MR. PRESIDENT:

Your Committee on Manufactures, to whom was referred House bill No. 121, respectfully recommend that the bill pass with the following amendments: Strike out "state examiner" wherever it occurs in the bill, and insert in lieu thereof "state auditor;" strike out of section 33 line numbered 22; strike out section 40.

H. H. WOLFE,
P. A. PRESTON.

House bill No. 158, Relative to fencing railroads, was taken up.

The Senate, on motion of Senator Houghton, took a recess for five minutes to look up the history of the bill.

Upon reassembling, Senator Landes moved to strike out section 4.

Not agreed to.

The bill was then read a third time.

Senator Owings moved to strike out section 4.

Lost by a divisional vote—yeas 10, nays 13.

Senator Houghton moved to amend section 1 by inserting after "railroad," in fourth line, the words "which shall have been operated for two years or more."

Adopted.

The bill failed to pass by the following vote:

Yeas: Forsyth, Hunsaker, Jones, Kinnear, Lawrence, Parkinson, Preston, Rinehart, Thompson (G. T.), Thompson (L. F.), Watt, Whalley, Wilson, Wolfe—14.

Nays: Austin, Clough, Drum, Guilfoil, Houghton, Hyde, Kneeland, Landes, Owings, Seaborg, Snow, Van Houten, Wooding—13.

Absent or not voting: Baker, Fairweather, Fariss, Long, Luce, Payne, Vestal, Wood.

SPECIAL ORDER.

Senator Kinnear in the chair.

The hour of 2:30 having arrived, Senate bill No. 222, To establish a uniform system of common schools, was taken up.

The bill was amended in title 2, paragraph 7, strike out "reports" and insert "census."

Title 3, section 7, insert "state" after first word of section; insert "June" instead of "May."

Section 8, after "common schools" insert "including graded and common schools;" insert "June" instead of "May;" strike out "three" and insert "such;" add after "papers" the words "or periodicals;" insert after "maintained in" the words "at least

one place in;" strike out "three" and insert "one;" make "places" read "place."

Section 8, fourth paragraph, after "five years" add "and may be renewed without examination;" strike out "and may be renewed without examination" after "board;" insert "only" after "applicants."

In 5th paragraph, section 8, after word "teachers" add "any member of said board who discloses any questions directly or indirectly thus prepared shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not less than $100 nor more than $500."

Senator Hyde was granted indefinite leave.

The bill was further amended as follows:

After "year," in 2d paragraph of section 11, title 4, insert "*Provided*, That in incorporated towns and cities where city superintendents are employed, the county superintendent shall be entitled to pay for one visit only in each year."

In section 23, title 5, strike out after "education" the words "except districts in which the schools are graded."

Section 24, same title, after the word "maintain" eliminate the word "public."

Strike out 14th paragraph of section 26, title 6.

In section 31, after word "directors" strike out "or clerk."

Same section, after word "persons" strike out "adversely."

In section 36, title 7, strike out after word "moneys" the words "the said district clerk shall be individually liable to the district."

Senator Rinehart moved to reconsider the vote by which House bill No. 132 failed of passage.

Adopted, and the bill was laid on the table.

On motion of Senator Rinehart, the Senate then, at 5:20 P. M., adjourned.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 14, 1890.
10 o'clock A. M.

Senate called to order, pursuant to adjournment, by President pro tem. Parkinson.

Senator Kinnear was called to the chair.

Roll called; all present except Senators Baker, Drum, Hyde, Landes, Long, Luce, Preston, who were excused.

On motion of Senator Guilfoil, the reading of the journal was dispensed with.

THE SCHOOL BILL.

On motion of Senator Lawrence, Senate bill No. 222, the school bill, was taken up at title 12 and read.

Senator Fairweather was granted leave of absence until Tuesday.

Amendments were made to the bill as follows:

In section 63, title 13, strike out "3 mos." and insert "30 days;" strike out "90 days" and insert "30 days."

Title 3, section 8, strike out "60 days" and insert "6 weeks."

In title 2, section 3, insert after "teachers," the words "the salaries paid by the several counties to the superintendent of schools, the amount they are paid for visiting schools and the mileage they draw for same."

In title 4, section 13, insert after "receive," the words "not less than nor more than."

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he had been instructed by the House to inform the Senate that the House has concurred in the amendments made in the Senate to House bill No. 151, An act to protect persons and animals from danger arising from mining, and ordered it enrolled.

Senator Owings offered the following as a substitue for section 6, title 3:

"The secretary of state and auditor of state shall be *ex-officio* members of the board of education. The governor shall appoint by and with the advice and consent of the state senate, two suitable persons, both of

whom shall be selected from those actually engaged in teaching in the common schools of this state, who, together with the superintendent of public instruction, shall constitute the state board of education. The persons appointed shall hold their office for two years from the first Monday in March next following their appointment, and shall serve until their successors are appointed and qualified: *Provided*, That the term of office of the first board appointed in accordance with this act shall expire on the first Monday in March, 1891."

Upon this amendment the yeas and nays were unanimously called for. It was rejected by the following vote:

Yeas: Drum, Forsyth, Guilfoil, Houghton, Hunsaker, Kinnear, Owings, Thompson (L. F.), Wooding—9.

Nays: Clough, Fariss, Jones, Kneeland, Lawrence, Payne, Rinehart, Seaborg, Thompson (G. T.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wood—16.

Absent or not voting: Austin, Baker, Fairweather, Hyde, Landes, Long, Luce, Parkinson, Preston, Snow.

The bill having been read a third time, Senator Lawrence moved that the bill be considered engrossed and put on its final passage.

Adopted.

The bill was passed by the following vote:

Yeas: Clough, Drum, Fariss, Guilfoil, Houghton, Hunsaker, Jones, Kinnear, Kneeland, Lawrence, Parkinson, Payne, Rinehart, Seaborg, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding—24.

Nays: Forsyth, Owings—2.

Absent or not voting: Austin, Baker, Fairweather, Hyde, Landes, Long, Luce, Preston, Snow.

The emergency clause was passed by the following vote:

Yeas: Clough, Drum, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Kinnear, Kneeland, Lawrence, Parkinson, Payne, Rinehart, Seaborg, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding—25.

Absent or not voting: Austin, Baker, Fairweather, Hyde, Landes, Long, Luce, Owings, Preston, Snow.

The Senate, at 12 M., took a recess until 2 P. M.

AFTER RECESS.

Senate called to order at 2 P. M.; president in the chair.

Roll call; all present but Senators Baker, Drum, Fairweather, Landes, Long, Luce, Preston, who were excused.

On motion of Senator Kinnear the vote by which House bill No. 165 failed was, by unanimous consent, reconsidered and the bill laid on the table.

On motion of Senator Watt, the vote by which House bill No. 182 failed of passage was, by consent, reconsidered and the bill was laid on the table.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills begs leave to report that Senate bill No. 38, entitled "An act allowing school districts to borrow money and issue bonds for the building and furnishing of school houses, to permit the funding of school district bonds heretofore or hereafter to be issued, legalizing the same, and declaring an emergency;" also, Senate bill No. 119, entitled "An act to provide for the construction, repairing and protection of drains and ditches for agricultural, sanitary and domestic purposes, and to provide for the organization of drainage districts, and daclaring an emergency;" also, Senate bill No. 147, entitled "An act to prevent the obstruction of highways and to abate nuisances thereon, and providing a penalty;" also, Senate concurrent resolution No. 44, Authorizing the governor to accept the portrait of ex-Attorney-General J. B. Metcalfe, have been carefully compared with the engrossed copies thereof and found correctly enrolled. J. M. SNOW, Chairman.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills begs leave to report that Senate memorial No. 22, Praying congress for the passage of an act authorizing the Oregon Railroad Extension Company to bridge the Columbia river at Vancouver; also, Senate concurrent resolution No. 43, Relative to final adjournment of the legislature on March 28th," have on this 14th day of March, 1890, been deposited in the office of the secretary of state.

J. M. SNOW, Chairman.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills begs leave to report that Senate bill No. 187, entitled "An act to provide for printing and distributing ballots for state and other elections at public expense, etc.," has, on this 14th day of March, 1890, been forwarded to his excellency the governor for his approval. J. M. SNOW, Chairman.

The president announced that he was about to sign Senate bill No. 38, Senate bill No. 119, Senate bill No. 5, Senate bill No. 147, Senate concurrent resolution No. 44.

COMMITTEE REPORT.

MR. PRESIDENT:

Your committee, to whom was referred House bill No. 270, An act to amend section 3 of an act entitled "An act to govern the officers of the territorial penitentiary," and recommend that the subdivision which provides for the salary of physician be amended to read $750, and that the bill pass with this amendment.

P. A. PRESTON,
J. H. JONES.

MR. PRESIDENT:

Your Committee on Mines and Mining, to whom was referred House bill No. 293, An act to establish a unit of measure for water for irrigation, manufacturing, mining, milling and mechanical purposes, have had the same under consideration, and return the same without recommendation.

J. H. JONES,
J. HUNSAKER.

MR. PRESIDENT:

Your committee, to whom was referred House bill No. 298, To amend section thirty-six (36) of an act entitled "An act providing for the use of water for the purpose of irrigation, and providing for the condemnation of the right-of-way for ditches to carry water for such purposes," approved March 4, 1890, have had the same under consideration, and beg to report the same back recommending its passage.

N. H. OWINGS,
W. J. PARKINSON,
C. G. AUSTIN,
H. E. HOUGHTON.

On motion of Senator Owings, House bill No. 298 was taken up, read third time and passed by the following vote:

Yeas: Austin, Clough, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Kinnear, Lawrence, Owings, Parkinson, Payne, Rinehart, Seaborg, Snow, Thompson (L. F.), Van Houten, Vestal, Whalley, Wilson, Wolfe, Wood, Wooding—24.

Nays: Thompson (G. T.)—1.

Absent or not voting: Baker, Drum, Fairweather, Hyde, Kneeland, Landes, Long, Luce, Preston, Watt.

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, March 14th, 1890.

To the President of the Senate:

I have this day signed and approved Senate bill No. 82, entitled "An act providing for the release of sureties on official bonds and undertakings." Senate bill No. 172, entitled "An act to provide for submitting the question of the permanent location of the seat of government to a vote of the people."

ELISHA P. FERRY.

By the joint Committee on School Lands: House bill No. 264, substitute for House bills Nos. 145, 155, 170 and 216, and Senate bill No. 129, An act to provide for the sale and leasing of school lands, and declaring an emergency.

Rules suspended, read first and second time by title, and referred to the Committee on State, School and Granted Lands.

Senate bill No. 236, An act to provide for the purchase of 600 copies of Barton's Hand-Book and Manual of the State of Washington for the use and benefit of the state and state officials, and making an appropriation therefor.

Rules suspended, read first and second time, and referred to the committee of the whole.

Senate bill No. 231, To regulate the practice of pharmacy, was taken up and amended as follows: Strike out of section 13 the words "if such medicine and poisons are put up by a registered pharmacist."

Also add to section: "*And provided further*, That this act shall only apply to cities of 1,500 or more inhabitants."

Strike out "district attorney" wherever it occurs, and insert "prosecuting attorney."

The bill was read third time, and ordered to be engrossed.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he had been instructed by the House to inform the Senate that the House has passed Senate bill No. 204, Authorizing counties to issue bonds, with an amendment, adding a proviso to section 9. Has also passed the emergency clause.

Senator Hunsaker was, on motion, excused from attendance for the day.

Senate bill No. 204 was read with House amendment.

The House amendment was concurred in by the following vote:

Yeas: Austin, Clough, Fariss, Guilfoil, Houghton, Hunsaker, Jones, Kinnear, Kneeland, Lawrence, Owings, Parkinson, Rinehart, Seaborg, Snow, Thompson (G. T.), Van Houten, Vestal, Whalley, Wilson, Wolfe, Wood, Wooding — 23.

Absent or not voting: Baker, Drum, Fairweather, Forsyth, Hyde, Landes, Long, Luce, Payne, Preston, Thompson (L. F.), Watt.

The bill was ordered to be enrolled.

Senator Kinnear in the chair.

Senate bill No. 227 was taken up and amended by striking out "real estate," in section 3, and inserting "property."

Yeas: Austin, Forsyth, Guilfoil, Houghton, Kinnear, Kneeland, Lawrence, Owings, Parkinson, Payne, Rinehart, Seaborg, Snow, Thompson (G. T.), Whalley, Wilson, Wolfe, Wood, Wooding—19.

Nays: Vestal—1.

Absent or not voting: Baker, Clough, Drum, Fairweather, Fariss, Hunsaker, Hyde, Jones, Landes, Long, Luce, Preston, Thompson (L. F.), Van Houten, Watt.

House bill No. 121 was taken up and on motion of Senator Whalley, was laid on the table.

House bill No. 270 was, on motion of Senator Thompson, laid on the table.

House bill No. 293 was read, and passed by the following vote:

Yeas: Austin, Clough, Forsyth, Guilfoil, Houghton, Jones, Kinnear, Kneeland, Lawrence, Owings, Parkinson, Rinehart, Seaborg, Thompson (G. T.), Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding—21.

Absent or not voting: Baker, Drum, Fairweather, Fariss, Hunsaker, Hyde, Landes, Long, Luce, Payne, Preston, Snow, Thompson (L. F.), Van Houten.

The bill was then laid on the table.

Senate bill No. 206 was then taken up and, on motion of Senator Parkinson, indefinitely postponed.

Senate bill No. 181 was taken up and, on motion of Senator Parkinson, indefinitely postponed.

On motion of Senator Wilson, Senate bill No. 220 was taken up, and passed by the following vote:

Yeas: Austin, Clough, Forsyth, Houghton, Jones, Kinnear, Kneeland, Owings, Parkinson, Rinehart, Seaborg, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding—22.

Absent or not voting: Baker, Drum, Fairweather, Fariss, Guilfoil, Hyde, Hunsaker, Landes, Lawrence, Long, Luce, Payne, Preston.

On motion of Senator Watt, Senate bill No. 36 was taken up.

The amendments reported by the committee were adopted.

President in the chair.

The bill was read a third time, amended in section 9 by inserting the word "challenged," and ordered to be engrossed.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he had been instructed by the House to inform the Senate that the speaker had signed Senate bill No. 147, Obstructing highways, etc., Senate bill No. 38, Allowing school districts to borrow money, Senate concurrent resolution No. 44, Accepting Attorney-General Metcalfe's portrait, Senate bill No. 110, Repairing drains, etc., all of which have been signed by the president.

The speaker has signed House bill No. 168, Authorizing road districts to levy special taxes for road purposes, House bill No. 209, appropriating money to pay for the completion of the Washington School for Defective Youth, which have passed both houses and been correctly enrolled.

The president announced that he was about to sign House bill No. 168 and House bill No. 209, which was done.

The Senate, at 4:45, on motion of Senator Payne, adjourned.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 15, 1890.
10 o'clock A. M.

Senate called to order pursuant to adjournment; President pro tem. Parkinson in the chair.

Roll call; all present except Senators Austin, Baker, Drum, Fairweather, Forsyth, Guilfoil, Hyde, Kinnear, Kneeland, Landes, Long, Thompson (L. F.) and Wooding, who were excused.

On motion of Senator Owings, the reading of the journal was dispensed with.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred House bill No. 296, entitled "An act to protect liens," have had the same under consid-

eration, and now respectfully report the same back to the Senate with the recommendation that the same be indefinitely postponed.

Respectfully submitted,

J. R. KINNEAR, Chairman.

Report concurred in by Senators Wood, Houghton and Payne, being all the members of said committee present.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 228, entitled "An act confirming sheriffs' deeds made by the successor in office of sheriffs who have sold land in pursuance of law, but have neglected to make deeds thereof," have had the same under consideration, and now respectfully report the same back to the Senate with the recommendation that the bill pass.

Respectfully submitted,

J. R. KINNEAR, Chairman.

Report concurred in by Senators Wood, Houghton and Payne, being all the members of committee present.

Also, Geo. T. Thompson concurring.

INTRODUCTION OF BILLS.

By Senator Payne: Senate bill No. 238, An act to better protect the health of female employes.

Rules suspended, read first and second time by title, and referred to the Judiciary Committee.

By Senator Owings: Senate bill No. 237, A bill for an act entitled "An act to provide for submitting the question of the seat of government to the vote of the people."

Rules suspended, read first and second time by title, and referred to the Judiciary Committee.

By Senator Hunsaker: Senate bill No. 239, An act authorizing and empowering the boards of county commissioners of the several counties of the State of Washington to use moneys paid into the county fund by reason of loss of county property by fire for the purpose of rebuilding the property destroyed.

Rules suspended, read first and second time by title, and referred to Committee on Internal Improvements.

By Senator Rinehart: Senate concurrent resolution No. 45, Relative to preserving the manuscript of the constitution.

Read and adopted.

MESSAGE FROM THE HOUSE.

The assistant chief clerk of the House appeared and announced that he was instructed by the House to inform the Senate that the

House has passed House bill No. 177, To provide for the assessment and collection of taxes.

Senate bill No. 228, Confirming sheriffs' deeds was passed by the following vote:

Yeas: Clough, Fariss, Houghton, Hunsaker, Jones, Lawrence, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Thompson (G. T.), Van Houten, Vestal, Whalley, Wilson, Wolfe, Wood — 20.

Absent or not voting: Austin, Baker, Drum, Fairweather, Forsyth, Guilfoil, Hyde, Kinnear, Kneeland, Landes, Long, Snow, Thompson (L. F.), Watt, Wooding.

COMMITTEE REPORT.

MR. PRESIDENT:

Your Committee on Education, to whom was referred House bill No. 72, beg leave to report the same back without amendment, and recommend its passage.

J. C. LAWRENCE, Chairman,
W. J. PARKINSON,

On motion of Senator Lawrence, the Senate went into committee of the whole on House bill No. 72.

Senators Whalley and Payne in the chair.

The committee arose, reported the bill to the Senate with amendment, striking out section 14 and re-numbering the sections following it.

President pro tem. Parkinson in the chair.

The bill was placed on general file.

COMMITTEE REPORT.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 237, have had the same under consideration, and beg leave to report it back recommending its passage.

H. E. HOUGHTON,
GEO. T. THOMPSON,
WM. D. WOOD,
JOHN T. WHALLEY.

Senator Lawrence in the chair.

Senate bill No. 237 was read a third time, and passed by the following vote:

Yeas: Clough, Fariss, Houghton, Hunsaker, Jones, Lawrence, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Van Houten, Vestal, Watt, Whalley, Wolfe, Wood — 20.

Absent or not voting: Austin, Baker, Drum, Fairweather, For-

syth, Guilfoil, Hyde, Kinnear, Kneeland, Landes, Long, Payne, Thompson (L. F.), Wilson, Wooding.

COMMITTEE REPORT.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills begs leave to report that Senate bill No. 38, entitled "An act allowing school districts to borrow money and issue bonds for the building and furnishing of school houses; to permit the funding of school district bonds heretofore or hereafter to be issued, legalizing the same, and declaring an emergency."

Senate bill No. 119, entitled "An act to provide for the construction, repairing and protection of drains and ditches for agricultural, sanitary and domestic purposes, and to provide for the organization of drainage districts," and Senate bill No. 147, entitled "An act to prevent the obstruction of highways and to abate nuisances on highways, and providing a penalty," have, on this 15th day of March, 1890, been forwarded to his excellency the governor for his approval. J. M. SNOW, Chairman.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills begs leave to report that Senate concurrent resolution No. 44 has, on this 15th day of March, 1890, been forwarded to the secretary of state. J. M. SNOW, Chairman.

On motion of Senator Hunsaker, the Senate, at 11 A. M., adjourned until 2 P. M. on Monday.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 17, 1890.
2 o'clock P. M.

Senate called to order pursuant to adjournment; president in the chair.

Roll called: all present except Senators Baker, Drum, Fairweather, Hyde, Kneeland, Landes, Parkinson, Van Houten, Whalley, Wood, who were excused.

On motion of Senator Jones, the reading of the journal was dispensed with.

Senator Whalley was granted leave of absence for one week.

Senators Wood and Van Houten were also excused.

COMMITTEE REPORT.

MR. PRESIDENT:

Your standing Committee on Engrossed Bills begs leave to report, that Senate bill No. 36, entitled "An act to provide for and to regulate the registration of voters in cities and towns, and in precincts having a voting population of two hundred and fifty (250) or more, and declaring an emergency."

Also, Senate bill No. 231, entitled "An act to regulate the practice of pharmacy, the licensing of persons to carry on such practice, and the sale of poisons, in the State of Washington," have been carefully compared with the original bills, and found correctly engrossed.

THOS. PAYNE, Chairman,
J. C. LAWRENCE,
Member of Committee.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills begs leave to report that Senate bill No. 151, entitled "An act to appropriate money to pay for material furnished and labor performed on account of the Washington School for Defective Youth;" also, Senate bill No. 194, entitled "An act to provide a single and uniform method of removing causes from the superior to the supreme court, and to regulate the practice in the supreme court in such causes;" also, Senate bill No. 121, entitled "An act to provide for the compulsory education of defective youth, and providing penalties for violations of the same;" also, Senate bill No. 184, entitled "An act granting to the United States, for public purposes, the use of certain tide lands belonging to the State of Washington;" also, Senate bill No. 195, entitled "An act to amend section 389, chapter XXXVI, Code of Washington, relating to witnesses and evidence," have been carefully compared with the engrossed copies thereof, and found correctly enrolled.

J. M. SNOW, Chairman.

The president announced that he was about to sign Senate bills No. 151, No. 194, No. 121, No. 195, No. 184, which was done.

Senator Lawrence made a verbal report on House bill No. 157, asking that it be referred to the committee of the whole.

Adopted.

COMMUNICATION FROM THE LIEUTENANT-GOVERNOR.

OFFICE OF MINING BUREAU, STATE OF WASHINGTON,
OLYMPIA, WASHINGTON, March 15, 1890.

To the Members of the Senate of the State of Washington:

In pursuance of law, the mining bureau has this day appointed George A. Bethune to the office of state geologist, and we respectfully ask your advice and consent to the same.

CHAS. E. LAUGHTON,
Lieutenant-Governor and President Mining Bureau.

Attest: A. A. LINDSLEY,
State Treasurer and Secretary Mining Bureau.

On motion of Senator Houghton, the Senate resolved itself into executive session, with open session.

Mr. Bethune was confirmed by the following vote:

Yeas: Austin, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Kinnear, Lawrence, Long, Luce, Owings, Payne, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Thompson (L. F.), Vestal, Watt, Wilson, Wolfe—23.

Absent or not voting: Baker, Clough, Drum, Fairweather, Hyde, Kneeland, Landes, Parkinson, Van Houten, Whalley, Wood, Wooding.

The Senate then resumed open session.

Senator Parkinson was excused for one day.

INTRODUCTION OF BILLS.

By Senator Snow: Senate bill No. 240, Providing for the settlement of statements of facts by the judges of the late territorial district courts in certain cases, and declaring an emergency.

Rules suspended, read first and second time by title, and referred to the Judiciary Committee.

By Senator Snow: Senate bill No. 241, An act concerning the recovery of the possession of land.

Rules suspended, read first and second time by title, and referred to the Judiciary Committee.

By Senator Snow: Senate bill No. 242, To require the fencing of railroads.

Rules suspended, read first and second time by title, and referred to the Committee on Corporations.

By Senator Rinehart: Senate bill No. 243, An act to grant the right-of-way for railways over the lands of the state below high water line.

Rules suspended, read first and second time by title, and referred to the Committee on Corporations.

By Senator Owings: Senate bill No. 244, To divide the state into two penitentiary districts, providing for the confinement, custody and maintenance of state convicts in western Washington, authorizing a contract therefor, and declaring an emergency.

Rules suspended, read first and second time by title, and referred to the Committee on State Prisons.

By Senator Owings: Senate bill No. 245, To provide for a state board of health and bureau of vital statistics.

Rules suspended, read first and second time by title, and referred to the Committee on Medicines, Surgery, etc.

The president announced the following Committee on Apportionment: Senators Houghton, Luce, Thompson (L. F.), Austin and Rinehart.

House bill No. 177 was read first and second time by title, and placed on file.

Senator Rinehart in the chair.

Senate bill No. 231 (engrossed) was taken up, and on motion of Senator Owings, made a special order for March 18th, at 2 P. M.

Senate bill No. 36 (engrossed) was passed by the following vote:

Yeas: Austin, Clough, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Kinnear, Lawrence, Luce, Owings, Payne, Rinehart, Seaborg, Snow, Thompson (L. F.), Vestal, Watt, Wilson, Wolfe, Wooding—22.

Absent or not voting: Baker, Drum, Fairweather, Hyde, Kneeland, Landes, Long, Parkinson, Preston, Thompson (G. T.), Van Houten, Whalley, Wood.

The emergency clause was passed by the following vote:

Yeas: Austin, Clough, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Kinnear, Lawrence, Luce, Owings, Payne, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Thompson (L. F.), Vestal, Watt, Wilson, Wolfe, Wooding—24.

Absent or not voting: Baker, Drum, Fairweather, Hyde, Kneeland, Landes, Long, Parkinson, Van Houten, Whalley, Wood.

President in the chair.

House bill No. 177 (the revenue bill) was taken up and read.

Senator Austin in the chair.

On motion of Senator Watt, the words "when required" was stricken out of line 2, section 15, and on motion of Senator Houghton, the words "at such time as the assessor may require" inserted.

Section 47 was amended as follows, on motion of Senator Rinehart: After the word "paid," strike out to end of section, and insert "by them on their assets shall be taken in lieu of said two per cent."

President in the chair.

On motion of Senator Houghton, the Senate, at 5:50, took a recess until 7 o'clock.

EVENING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 17, 1890.
7 o'clock P. M.

Senate called to order at 7 o'clock P. M.; Senator Owings in the chair.

A quorum being present, the reading of House bill No. 177 was continued.

Senator Guilfoil and Thompson (L. F.) were excused for the evening.

President in the chair.

On motion of Senator Austin, rule 61 was suspended for the evening.

Senator Rinehart moved to strike out section 144, and then amended by moving to strike out in line 3 of section 144, the words "and assess," which was adopted upon a divisional vote of 11 in the affirmative and 7 in the negative.

On motion of Senator Houghton, the Senate, at 8:40 P. M., adjourned.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 18, 1890.
10 o'clock A. M.

Senate called to order pursuant to adjournment; president in the chair.

Roll call; all present except Senators Drum, Fairweather, Hoge, Kneeland, Landes, Thompson (G. T.) and Whalley, who were excused.

There being no objection, the reading of the journal was dispensed with.

Senate concurrent resolution No. 46, offered by Senator Rinehart. Relative to sale of supreme court reports.

The resolution was referred to Senators Houghton and Owings for amendment.

COMMITTEE REPORT.

MR. PRESIDENT:

Your Committee on Medicine, Surgery, Hygiene and Dentistry, to whom was referred House bill No. 297, have carefully considered the same, and respectfully recommend its passage.

F. H. LUCE, Chairman.
J. M. SNOW.

INTRODUCTION OF BILLS.

By Senator Snow: Senate bill No. 246, An act prescribing the time during which an action may be brought or proceedings had to revive judgments.

Rules suspended, read first and second time, and referred to the Judiciary Committee.

By Senator L. F. Thompson: Senate bill No. 247, Relating to the university land[illegible], and to provide for the establishment, maintenance and support of the State University of Washington.

Rules suspended, read first and second time by title, and referred to Committee on Judiciary.

By Senator Payne: Senate bill No. 248, An act relative to community property.

Rules suspended, read first and second time by title, and referred to Judiciary Committee.

By Senator Long: Senate bill No. 249, To provide for districting or re-districting counties in commissioner districts.

Rules suspended, read first and second time by title, and referred to the Committee on County and County Boundaries.

By Senator Rinehart: Senate bill No. 250, An act making an appropriation for sundry civil expenses of the state government for the fiscal term beginning November 18, 1889, and ending March 31, 1891, and for other purposes.

Rules suspended, read first and second time by title, and referred to Committee on Claims, and ordered not printed.

Senator Parkinson in the chair.

House bill No. 72 was read, relative to the university.

The amendments in section 9, to strike out "legislative assembly" and insert "legislature," to strike out section 14 (same as section 13), and re-number all following sections were adopted, and on motion of Senator L. F. Thompson, the bill was laid on the table.

Senator L. F. Thompson, from the joint committee on university,

made a lengthy report with exhibits, which were, on motion of Senator Thompson, ordered to be printed in pamphlet form.

On motion of Senator Preston, the Senate resolved itself into a committee of the whole to consider:

House bill No. 275, Appropriation for Walla Walla penitentiary.

Senate bill No. 236, To purchase Barton's Hand-Book.

House bill No. 157, Relative to a reform school.

Senator Vestal in the chair.

The above named bills were read.

Senator Houghton moved to amend House bill No. 157 in section 6, by striking out "50 acres" and inserting "5 acres."

The committee arose and reported the bills to the Senate.

President in the chair.

House bill No. 276 was read third time and passed by the following vote:

Yeas: Austin, Baker, Clough, Fariss, Forsyth, Guilfoil, Houghton, Jones, Kinnear, Long, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Thompson (L. F.), Vestal, Watt, Wolfe, Wood, Wooding—23.

Absent or not voting: Drum, Fairweather, Hunsaker, Hyde, Kneeland, Landes, Lawrence, Snow, Thompson (G. T.), Van Houten, Whalley, Wilson.

Senate bill No. 236 was read third time and passed by the following vote:

Yeas: Austin, Baker, Clough, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Kinnear, Long, Luce, Owings, Parkinson, Payne, Seaborg, Snow, Vestal, Wilson, Wolfe, Wood, Wooding—21.

Absent or not voting: Drum, Fairweather, Fariss, Hyde, Kneeland, Landes, Lawrence, Preston, Rinehart, Thompson (G. T.), Thompson (L. F.), Van Houten, Watt, Whalley.

House bill No. 157 was read third time.

The amendments made in the committee of the whole were adopted.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he had been instructed by the House to inform the Senate that the House has indefinitely postponed Senate bill No. 221, An act changing the name of Slaughter, in King county, to Valley City.

Has passed House bill No. 274, An act relating to summary proceedings for obtaining possession of real property in certain cases.

Has failed to pass Senate bill No. 163, Providing for the organization of new counties.

Has passed Senate bill No. 232, Amending an act submitting the permanent location of the seat of government to a vote of the people.

Also, Senate concurrent resolution No. 45, Relative to preserving the manuscript of the constitution.

I am instructed to transmit to the Senate a copy of House bill No. 29, An act to define trespass, and a copy of the governor's veto to section 13 of the same. The House has refused to pass the said section over the governor's veto.

The speaker has signed House bill No. 256, An act providing for the organization and government of irrigation districts.

Also, House bill No. 298, An act to amend section thirty-six of an act, entitled "An act providing for the use of water for the purpose of irrigation, etc.," both having passed both Houses, correctly enrolled and signed by the speaker.

The speaker has signed House bill No. 151, To secure persons and animals from danger arising from mines.

Also, House bill No. 150, An act relating to the location of mill sites, etc., both of which have passed both Houses been correctly enrolled and signed by the speaker of the House.

The president announced that he was about to sign House bills Nos. 256, 150, 298 and 151, which was done.

House bill No. 157 failed of passage by the following vote:

Yeas: Baker, Hunsaker, Kinnear, Lawrence, Long, Parkinson, Payne, Rinehart, Snow, Thompson (L. F.), Vestal, Watt, Wilson, Wolfe—14.

Nays: Austin, Clough, Forsyth, Guilfoil, Houghton, Jones, Luce, Seaborg, Wolfe, Wooding—10.

Absent or not voting: Drum, Fairweather, Fariss, Hyde, Kneeland, Landes, Owings, Preston, Thompson (G. T.), Van Houten, Whalley, Wood.

Senator Jones, who had changed his vote to the negative, gave notice of a motion to reconsider.

The secretary was instructed to return House bill No. 29 to the House with the governor's veto of a section of said bill, with the statement that the Senate did not care to take any action thereon.

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, March 18th, 1890.

To the Legislature of the State of Washington:

In the act of congress, approved February 22d, 1880, granting to this state, for the support of common schools, sections 16 and 36, it is provided that when said sections, or any part thereof, have been sold or disposed of by the United States, that the state may select other lands equivalent thereto. (See section 10 of said act.)

It is further provided by said section that the indemnity lands must be selected in such manner as the legislature may provide, with the approval of the secretary of the interior.

I therefore recommend such legislation as may be necessary to enable the state to secure the indemnity lands referred to at the earliest practical moment.

The public lands in the state are being rapidly taken up under the various land laws of the United States, and it must be obvious that the early selection of these indemnity lands will be advantageous to the state.

ELISHA P. FERRY.

Referred to Committee on State, School and Granted Lands, to report by bill or otherwise.

Senate bill No. 251 was offered (by consent) by Senator Long, An act relative to fences, and providing for fence viewers.

Rules suspended, read first and second time, and referred to the Committee on Agriculture.

Senator Luce offered the following:

Resolved by the Senate, That the Committee on Printing be instructed to consider the printing of the Senate journal, and report by resolution or otherwise.

Adopted.

On motion of Senator Houghton, the Senate took a recess at 12 M. until 1:30 P. M.

AFTER RECESS.

The Senate re-assembled at 1:30 o'clock P. M.; president in the chair.

All present except Senators Drum, Fairweather, Hyde, Kneeland, Landes and Whalley, who were excused.

INTRODUCTION OF BILLS.

By the joint Committee on Apportionment: Senate bill No. 252, To apportion the state into Senate and Representative districts.

Rules suspended, read first and second time by title, and laid on the table.

By Senator Wooding: Senate bill No. 253, To amend section 11 of an act for the relief of settlers in cities and towns on the public lands.

Same action: referred to Committee on Corporations.

By Senator Clough: Senate bill No. 254, To authorize the insurance of the buildings, and property of the Washington School for Defective Youth.

Same action: referred to the committee of the whole.

By joint Committee on Municipal Corporations: Senate bill No. 255.

Same action: referred to Judiciary Committee.

By Senator Wood: Senate bill No. 256, An act relating to the formation of corporations for religious, educational, literary, fraternal, benevolent, charitable, temperance and scientific purposes.

Same action: referred to the Committee on Education.

By Senator Wood: Senate bill No. 257, An act relating to the formation of corporations not for pecuniary profit.

Same action: referred to the Committee on Education.

COMMITTEE REPORT.

MR. PRESIDENT:

We, your Committee on Indian Affairs, who have had under consideration House bill No. 262, beg leave to report the same back without amendments, and recommend that it do pass.

B. C. VAN HOUTEN,
L. F. THOMPSON,
E. T. WILSON.

The bill was placed on file.

On motion of Senator Kinnear, the opinions of Judges Struve and Burke in the accompanying papers of the report of the joint committee on university were recalled from the printers.

COMMITTEE REPORT.

The committee to whom was referred Senate concurrent resolution No. 46, reported as follows:

Amend so as to read:

Resolved by the Senate, the House of Representatives concurring, That the state auditor be and he is hereby authorized and empowered to sell at a price not less than the original cost, such surplus volumes of the supreme court reports, beyond those required for use of the state, as the state now has on hand. The money received from such sales to be turned over to the state treasurer.

The report and the concurrent resolution were adopted.

House bill No. 177 was, on motion of Senator Houghton, laid on the table.

House bill No. 297 was passed by the following vote:

Yeas: Austin, Baker, Clough, Fariss, Forsyth, Guilfoil, Jones, Lawrence, Long, Luce, Owings, Parkinson, Payne, Snow, Thompson (G. T.), Van Houten, Wilson, Wood — 18.

Nays: Hunsaker, Preston, Rinehart, Seaborg, Wolfe, Wooding — 6.

Absent or not voting: Drum, Fairweather, Houghton, Hyde, Kinnear, Kneeland, Landes, Thompson (L. F.), Vestal, Watt, Whalley.

The bill was then laid on the table.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills begs leave to report that Senate bill No. 165, entitled "An act to regulate the mode of proceeding to appropriate lands, real estate or other property by corporations for corporate purposes, and of ascertaining and securing compensation therefor, and repealing laws in conflict with this act, and declaring an emergency."

Also, Senate bill No. 204, entitled "An act authorizing and empowering the organized counties of the State of Washington to contract indebtedness, to issue bonds for funding the same, and declaring an emergency," have been carefully compared with the engrossed copies thereof, and found correctly enrolled. J. M. SNOW, Chairman.

MR. PRESIDENT:

Your standing Committee on State, School and Granted Lands beg leave to report that after consultation with his excellency the governor, and having submitted to him a copy of Senate bill No. 198 for his consideration, we recommend that the governor's message relative to the enactment of legislation regarding the selection of lieu school lands, be referred to the House Committee on School Lands.

W. J. PARKINSON, Chairman.
J. M. SNOW,
E. T. WILSON,
B. C. VAN HOUTEN,
L. B. CLOUGH,
L. F. THOMPSON.
O. D. GUILFOIL.

The president gave notice that he was about to sign Senate bills Nos. 204 and 165, which was done.

Senator Lawrence in the chair.

Senate bill No. 231, To regulate the practice of medicine, was taken up.

President in the chair.

The bill was amended, and failed of passage by the following vote:

Yeas: Austin, Baker, Guilfoil, Jones, Long, Owings, Parkinson, Snow, Thompson (G. T.), Van Houten, Vestal, Watt, Whalley, Wood — 14.

Nays: Fariss, Forsyth, Hunsaker, Kinnear, Luce, Payne, Preston, Rinehart, Seaborg, Wilson, Wooding — 11.

Absent or not voting: Clough, Drum, Fairweather, Houghton, Hyde, Kneeland, Landes, Lawrence, Thompson (L. F.), Wolfe.

Senators Luce and Payne, who had changed their votes to the negative, gave notice of a motion to reconsider.

House bill No. 182, To establish a normal school at Cheney, was passed by the following vote:

Yeas: Austin, Baker, Clough, Fariss, Forsyth, Guilfoil, Hunsaker, Jones, Kinnear, Lawrence, Long, Owings, Parkinson, Payne, Rinehart, Seaborg, Snow, Thompson (G. T.), Van Houten, Watt, Wilson, Wood, Wooding — 23.

Nays: Vestal, Wolfe — 2.

Absent or not voting: Drum, Fairweather, Houghton, Hyde, Kneeland, Landes, Luce, Preston, Thompson (L. F.), Whalley.

House bill No. 25, To establish a normal school at Lynden, failed of passage by the following vote:

Yeas: Clough, Fariss, Jones, Kinnear, Lawrence, Owings, Snow, Van Houten, Watt, Wooding — 10.

Nays: Austin, Baker, Forsyth, Guilfoil, Houghton, Parkinson, Payne, Rinehart, Seaborg, Thompson (L. F.), Vestal, Whalley, Wood — 14.

Absent or not voting: Drum, Fairweather, Hunsaker, Hyde, Kneeland, Landes, Long, Luce, Preston, Thompson (G. T.), Wilson, Wolfe.

House bill No. 132 was taken up and failed of passage by the following vote:

Yeas: Baker, Clough, Kinnear, Kneeland, Lawrence, Long, Payne, Preston, Rinehart, Seaborg, Thompson (G. T.), Thompson (L. F.), Vestal — 13.

Nays: Austin, Forsyth, Guilfoil, Hunsaker, Owings, Van Houten, Wolfe, Wood, Wooding — 9.

Absent or not voting: Drum, Fairweather, Fariss, Houghton, Hyde, Jones, Landes, Luce, Parkinson, Snow, Watt, Whalley, Wilson.

Senate bill No. 258 was (by consent) offered by Senator Wood, An act relative to the construction of a ship canal connecting Port Townsend with Oak Bay, and to declare an emergency.

Rules suspended, read first and second time by title, and referred to the Committee on Harbors and Harbor Lines.

House bill No. 250, Relative to hauling timber across railroads, was taken up, amended in section 3, and passed by the following vote:

Yeas: Clough, Forsyth, Guilfoil, Hunsaker, Jones, Kinnear, Lawrence, Long, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Watt, Wilson, Wolfe, Wood, Wooding — 23.

Nays: Owings — 1.

Absent or not voting: Austin, Baker, Drum, Fairweather, Fariss, Houghton, Hyde, Kneeland, Landes, Luce, Whalley.

The emergency clause passed by the following vote:

Yeas: Austin, Clough, Forsyth, Guilfoil, Hunsaker, Jones, Kinnear, Lawrence, Long, Luce, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Watt, Wilson, Wolfe, Wood, Wooding - - 25.

Absent or not voting: Baker, Drum, Fairweather, Fariss, Houghton, Hyde, Kneeland, Landes, Owings, Whalley.

INTRODUCTION OF BILLS.

By Senator Snow: Senate bill No. 257, To authorize the organization of a state fair association, and to locate the Washington state fair.

Rules suspended, read first and second time by title, and referred to Committee on Agriculture.

Senate bill No. 260, Making an appropriation to pay A. C. Bowman and C. B. Eaton for their services as official shorthand reporters of the debates and proceedings of the constitutional convention of Washington.

Same action; referred to the joint committee of the two Houses having the subject under consideration.

By Senator Payne: Senate bill No. 261, An act for the protection of discharged employes and to prevent "black-listing."

Same action; referred to committee of the whole.

Senate bill No. 134 was taken up and considered in the committee of the whole.

Senator Vestal in the chair.

The committee arose and reported the bill to the Senate with the amendment striking out section 16 and adding to section 15 the following: "All acts and parts of acts in conflict with the provisions of this act are hereby repealed."

President pro tem. Parkinson in the chair.

The bill was read a third time and passed by the following vote:

Yeas: Austin, Baker, Clough, Fariss, Forsyth, Guilfoil, Hunsaker, Jones, Kinnear, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Watt, Wilson, Wood, Wolfe, Wooding—25.

Absent or not voting: Drum, Fairweather, Houghton, Hyde, Kneeland, Landes, Lawrence, Long, Snow, Whalley.

President in the chair.

Senate bill No. 254 was taken up.

The Senate went into committee of the whole.

Senator Wilson in the chair.

The committee arose, and reported the bill to the Senate without amendment.

The bill was read a third time and passed by the following vote, president in the chair:

Yeas: Austin, Baker, Clough, Fariss, Forsyth, Hunsaker, Jones, Kinnear, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Watt, Wilson, Wolfe, Wood, Wooding—23.

Absent or not voting: Drum, Fairweather, Guilfoil, Houghton, Hyde, Kneeland, Landes, Lawrence, Long, Payne, Snow, Whalley.

House bill No. 165, To protect wages of laborers and operatives, was taken up, and failed of passage by the following vote:

Yeas: Forsyth, Jones, Kinnear, Parkinson, Payne, Preston, Rinehart, Thompson (G. T.), Wood—10.

Nays: Austin, Baker, Guilfoil, Hunsaker, Luce, Owings, Seaborg, Thompson (L. F.), Van Houten, Vestal, Watt, Wolfe, Wooding—12.

Absent or not voting: Clough, Drum, Fairweather, Fariss, Houghton, Hyde, Kneeland, Landes, Lawrence, Long, Snow, Whalley, Wilson.

Senate bill No. 180, Construing and validating deeds of donation land claims.

The report of the committee to indefinitely postpone was not agreed to; yeas 10, nays 12.

The bill failed of passage by the following vote:

Yeas: Austin, Clough, Hunsaker, Long, Luce, Owings, Parkinson, Preston, Rinehart, Snow, Van Houten, Watt, Wilson, Wooding — 14.

Nays: Baker, Fariss, Guilfoil, Kinnear, Payne, Seaborg, Thompson (G. T.), Thompson (L. F.), Vestal, Wolfe, Wood — 11.

Absent or not voting: Drum, Fairweather, Forsyth, Houghton, Hyde, Jones, Kneeland, Landes, Lawrence, Whalley.

Senator Baker, who had changed his vote to the negative, gave notice of a motion to reconsider.

On motion of Senator Owings, the Senate, at 3:05 P. M., adjourned.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 19, 1890.
10 o'clock A. M.

Senate called to order, pursuant to adjournment; president in the chair.

Roll call; all present except Senators Fairweather, Hyde, Kneeland, Snow and Whalley, who were excused.

On motion of Senator Guilfoil, the reading of the journal was dispensed with.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 130, entitled "An act to amend sections 1957 and 1967, chapter 136, of the Code of Washington Territory," have had the same under consideration, and now respectfully report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

Your Committee on Judiciary, to whom was referred Senate bill No. —, a substitute for Senate bill No. 130, Relative to liens, have had the same under consideration, and now respectfully report the same back to the Senate with the recommendation that the same be indefinitely postponed.

Your Committee on Judiciary, to whom was referred Senate bill No. 75, entitled "An act to amend section 1 of chapter 139 of the Code of Washington Territory, relating to liens," have had the same under consideration, and now respectfully report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

Your Committee on Judiciary, to whom was referred Senate bill No 164, entitled "An act to provide for the summary disposition of actions of forcible entry and detainer, or of unlawful detainer, in the superior court," have had the same under consideration, and now report the same back to the Senate with the recommendation that the same be indefinitely postponed.

Your Committee on Judiciary, to whom was referred House bill No. 261, entitled "A bill for an act to exempt insurance money to the amount or value of exempt property destroyed by fire," have had the same under consideration, and now respectfully report the same back to the Senate with the recommendation that the same be indefinitely postponed.

Your Committee on Judiciary, to whom was referred Senate bill No. 152, entitled "An act in relation to liens of mechanics, laborers and materialmen upon real property, and to amend chapter CXXXVIII of the Code of Washington, relating to the same subject," have had the same under consideration, and now respectfully report the bill back to the Senate with the recommendation that the same be indefinitely postponed.

Respectfully submitted,

J. R. KINNEAR, Chairman.

Report concurred in by Senators Wood, Houghton and Payne, being all the members of said committee present.

The reports on the various bills above named were adopted.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 248, entitled "An act to better protect the health of female employes," have had the same under consideration, and now respectfully report the same back to the Senate with the following amendment, and as amended recommend that the bill pass:

Amendment 1: In section 2, after the figure "2" in first line, strike out all of said section down to the words "shall be deemed," in the fifth line thereof, and insert in place thereof the words "a violation of any of the provisions of section 1 of this act."

Respectfully submitted,

J. R. KINNEAR, Chairman.

Report concurred in by Senators Wood, Payne and Houghton, being all the members of said committee present.

MR. PRESIDENT:

Your standing Committee on Federal Relations, to whom was referred Senate bill No. 68, entitled "An act giving the consent of the legislature of the State of Washington to the purchase and reservation by the

United States, of land within this state for public purposes," beg leave to report the same back to the Senate with the recommendation that the same be indefinitely postponed, a bill having already passed the Senate relating to the subject matter of Senate bill No. 68.

Respectfully submitted.

WM. D. WOOD, Chairman.

Report concurred in by Senators Houghton and Whalley, of said committee.

The report was adopted.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 215, entitled "An act in relation to mortgages of personal property," have had the same under consideration, and now respectfully report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Report concurred in by Senators Wood, Houghton and Payne, being all the members of said committee present.

The report was adopted.

MR. PRESIDENT:

Your Committee on State, Granted and School Lands, to whom was referred House bill No. 286, have had the same under consideration, and hereby report the same back, and recommend its passage as amended.

W. J. PARKINSON, Chairman.
O. D. GUILFOIL,
J. M. SNOW,
L. F. THOMPSON,
L. B. CLOUGH.

MR. PRESIDENT:

Your Committee on State, Granted and School Lands, to whom was referred Senate bill No. 129, An act to provide for the sale and leasing of school lands, have had the same under consideration, and herewith report the same back with the recommendation that it be indefinitely postponed.

W. J. PARKINSON, Chairman.
O. D. GUILFOIL,
J. M. SNOW,
L. B. CLOUGH,
L. F. THOMPSON.

The report was adopted.

MR. PRESIDENT:

Your Committee on State, Granted and School Lands, to whom was referred House bill No. 264, the same being a substitute for House bills Nos. 145, 155, 170 and 216, and Senate bill No. 129, have had the same

under consideration, and hereby report the same back with recommendation that it do pass.

W. J. PARKINSON, Chairman.
O. D. GUILFOIL,
L. F. THOMPSON,
J. M. SNOW,
L. B. CLOUGH.

Senate concurrent resolution No. 45 was ordered to be enrolled.

House bill No. 274: Rules suspended, read first and second time by title and referred to the judiciary committee.

Senator Payne in the chair.

Senate bill No. 237 was ordered to be enrolled.

Senate bills Nos. 256 and 257 were, on motion of Senator Wood, recalled from the printer.

House bill No. 262, Enabling the Puyallup Indians to sell their lands, was passed by the following vote:

Yeas: Austin, Baker, Clough, Forsyth, Guilfoil, Houghton, Hunsaker, Landes, Lawrence, Long, Luce, Owings, Parkinson, Payne, Preston, Thompson (L. F.), Van Houten, Watt, Wilson, Wolfe, Wood, Wooding — 22.

Nays: Kinnear, Rinehart, Seaborg — 3.

Absent or not voting: Drum, Fairweather, Fariss, Hyde, Jones, Kneeland, Snow, Thompson (G. T.), Vestal, Whalley.

Senator Lawrence in the chair.

Senate bill No. 238, To better protect the health of female employes, was read third time, and the bill passed by the following vote:

Yeas: Austin, Baker, Clough, Guilfoil, Houghton, Hunsaker, Jones, Kinnear, Landes, Lawrence, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Thompson (L. F.), Van Houten, Vestal, Watt, Wilson, Wolfe, Wood, Wooding — 25.

Nays: Forsyth — 1.

Absent or not voting: Drum, Fairweather, Fariss, Hyde, Kneeland, Long, Snow, Thompson (G. T.), Whalley.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he was instructed by the House to inform the Senate that the speaker has signed Senate bill No. 151, An act to appropriate money to pay for material furnished and labor performed on account of the Washington School for Defective Youth.

The speaker has signed Senate bill No. 194, An act to provide a single and uniform method of removing causes from the superior courts to the supreme court, and to regulate the practice in the supreme court in such causes.

The speaker has signed Senate bill No. 121, An act to provide for the compulsory education of defective youth, and providing penalties for violations of the same, and the same is herewith returned to the Senate for transmission to the governor.

The speaker has signed House bill No. 189, An act to establish a uniform standard of weights and measures in this state and to provide for a state sealer and inspector of the same, which passed both houses and been correctly enrolled.

The speaker has signed House bill No. 281, An act to provide for the government of cities having a population of twenty thousand or more inhabitants, and declaring an emergency to exist.

The House has appointed a conference committee to secure uniformity of action in cases where the governor has returned a part of a bill to the house where it originated, and to consider the proper line of action on the Senate refusal to take action on House bill No. 29. The speaker has appointed Messrs. Edens, Geoghegan, McReavy, Pickrell and Stevenson on the part of the House, and asks that the Senate appoint a similar committee.

House bill No. 286, To create the state land commission, etc.: The amendments of the committee were, to insert a new section (No. 10), to insert before section 11 a new paragraph, and to renumber the sections.

The Senate then went into committee of the whole on the bill.

Senator Lands in the chair.

The committee arose, and reported the bill to the Senate with amendments.

President in the chair.

The Senate, on motion of Senator Owings, took a recess until 2 P. M.

AFTER RECESS.

The Senate was called to order at 2 P. M.

All present but Senators Fairweather, Hyde and Whalley, who were excused.

President in the chair.

The president announced that he was about to sign House bill No. 189 and House bill No. 281, which was done.

Senator Austin offered by consent Senate concurrent resolution No. 47, That a bill entitled "An act to amend section 1 of an act allowing school districts to borrow money and issue bonds for building and furnishing of school houses, etc." may be introduced on 19th of March, 1890, and considered by the legislature in less than ten days prior to date of final adjournment.

Read and adopted by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fariss, Forsyth, Guilfoil, Hunsaker, Jones, Kinnear, Lawrence, Long, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Watt, Wilson, Wood, Wolfe, Wooding — 28.

Absent or not voting: Fairweather, Houghton, Hyde, Kneeland, Landes, Payne, Whalley.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your Committee on Medicine, Surgery, Hygiene and Dentistry, to whom was referred Senate bill No. 213, report back the same and recommend that it be indefinitely postponed.

F. H. LUCE,
J. M. SNOW.

The report was adopted.

MR. PRESIDENT:

Your Committee on Commerce, to whom was referred Senate bill No. 224, entitled "An act to authorize the Washington Improvement Company to build and maintain a ship canal from the head of Salmon bay to deep water in Admiralty inlet," would respectfully report that we have carefully considered the same, and while we believe the grant asked is not within the scope of our authority under the constitution, yet we find that the company have vested rights that we cannot justly ignore, in that they have expended a large sum of money in connecting Lakes Washington and Union, and in opening the outlet to Salmon bay; and we would therefore report the bill back without further recommendation.

B. A. SEABORG,
J. H. JONES,
J. HUNSAKER.

House bill No. 286 was taken up, and the following amendments agreed to: Section 8 stricken out and a new section inserted; section 9 stricken out and a new section added, and the following inserted before section 10: "There is hereby appropriated out of any money in the general fund not otherwise appropriated, the following amounts for the purpose herein named."

The bill was then wassed by the following vote:

Yeas: Austin, Baker, Clough, Forsyth, Guilfoil, Hunsaker, Jones, Kinnear, Landes, Lawrence, Long, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Van Houten, Vestal, Watt, Wolfe, Wood, Wooding — 24.

Nays: Thompson (G. T.), Wilson — 2.

Absent or not voting: Drum, Fairweather, Fariss, Houghton, Hyde, Kneeland, Payne, Thompson (L. F.), Whalley.

The emergency clause was then passed by the following vote:

Yeas: Austin, Baker, Clough, Forsyth, Guilfoil, Hunsaker, Jones, Kinnear, Landes, Lawrence, Long, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Van Houten, Vestal, Watt, Wolfe, Wood, Wooding — 24.

Nays: Thompson (G. T.), Wilson — 2.

Absent or not voting: Drum, Fairweather, Fariss, Houghton, Hyde, Kneeland, Payne, Thompson (L. F.), Whalley.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he had been instructed by the House to inform the Senate that the House has concurred in Senate concurrent resolution No. 47, Allowing the introduction of a certain bill written ten days previous to adjournment.

Senator Austin offered Senate bill No. 262, To amend an act allowing school districts to borrow money and issue bonds for the building and furnishing of school houses.

Rules suspended, read first and second time by title, and referred to the Committee on Judiciary, and ordered not printed.

House bill No. 90, To create a commission of technical instruction and to establish a state agricultural college and school of science, and to declare an emergency.

The Senate resolved itself into committee of the whole to consider the bill.

Senator Hunsaker in the chair.

The committee arose and reported the bill to the Senate with an amendment to section 15.

Senator Parkinson in the chair.

On motion of Senator Rinehart, the bill was laid on the table.

House bill No. 264, To lease the school lands, was taken up and read third time.

The following amendments were made to the bill:

Section 17, lines 3 and 4, strike out the words "to lease all school lands."

Section 21, lines 4 and 5, strike out all after the word "act."

Section 22, insert new section as follows: "Any person, firm or corporation, engaged in the business of logging, shall have a right-of-way over said school land for the purpose of hauling or removing timber from lands contiguous thereto."

Add to section 12, "*Provided further*, That no timber shall be sold from any school land by a purchaser of any tract until the whole purchase price of said tract shall have been paid therefor."

In section 5, after the word "shall," in line 16, insert the words "at the discretion of the county commissioners." Strike out of lines 11 and 12 the words "such" and "as they may deem proper."

In section 5, after the word "village," in fifteenth line, insert "where the valuation of such land shall be found by appraisement to exceed $100 per acre."

In section 8, strike out all after "occupy," line 6, down to the words "the appraisers" in line 11, and insert "which shall embrace all lands upon which such occupant has made improvements: *Provided*, The same does not exceed 160 acres, and if it is his only home, the said occupant shall, upon complying with the provisions of this act, be entitled to retain the possession and occupancy of such lands until the time of its being offered for sale or lease as provided in this act, upon such terms as the board may prescribe.

Add after section 7, "within thirty days from the day of sale."

The bill was, on motion of Senator Rinehart, made a special order for March 20, 10 A. M.

President in the chair.

House bill No. 90, Relative to a commission of technical instruction, and to establish a state agricultural college, was taken up, read third time, amended in section 15 by striking out "ten" and inserting "five."

The Senate then took a recess until 7:30 o'clock.

EVENING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 19, 1890.
7:30 o'clock P. M.

The Senate reassembled at 7:30 P. M.; president in the chair.

All the Senators present except Senators Fairweather, Fariss, Hyde, Jones, Landes, Lawrence, Long, Parkinson, Thompson (G. T.), Van Houten and Whalley, who were excused.

MESSAGES FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, March 19th, 1890.

To the President of the Senate:

I have this day signed and approved:

Senate bill No. 38, entitled "An act allowing school districts to borrow money and issue bonds for the building and furnishing of school houses, to permit the funding of school district bonds heretofore or hereafter to be issued, legalizing the same, and declaring an emergency."

Senate bill No. 119, entitled "An act to provide for the construction, repairing and protection of drains and ditches for agricultural, sanitary and domestic purposes, and to provide for the organization of drainage districts, and declaring an emergency."

Senate bill No. 187, entitled "An act providing for printing and distributing ballots at public expense, and to regulate voting at state and other elections."

ELISHA P. FERRY.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills begs leave to report, that Senate bill No. 121, entitled "An act to provide for the compulsory education of defective youth, and providing penalties for violations of the same."

Senate bill No. 151, entitled "An act to appropriate money to pay for material furnished and labor performed on account of the Washington School for Defective Youth."

Senate bill No. 184, entitled "An act granting to the United States, for public purposes, the use of certain tide lands belonging to the State of Washington."

Senate bill No. 194, entitled "An act to provide a single and uniform method of removing causes from the superior courts to the supreme court, and to regulate the practice in the supreme court in such causes."

Senate bill No. 195, entitled "An act to amend section 389, chapter

XXXVI. of the Code of Washington, relating to witnesses and evidence," have, on this 19th day of March, 1890, been forwarded to his excellency the governor for his approval. J. M. SNOW, Chairman.

House bill No. 177, the revenue bill, was taken up, and amended as follows:

By Senator Houghton: Add to section 2, "*Provided*, The value of all mines, minerals and mining claims, exclusive of coal mines, shall be ascertained as follows: On the first day of April in each year the president or secretary of any corporation, or the person or persons owning or working any such mine or mining claim, shall file with the assessor of the county in which the same is located a statement under oath showing the net profits derived from said mine or mining claim during the preceding year, and said net profits shall be taken as the ascertained value thereof, and the assessor shall assess the same at such value for the purpose of taxation."

By Senator Luce: In section 47, "two per cent." was stricken out and "one per cent." inserted.

In section 78, strike out "three mills" (state tax) in line 5, and insert "two and-one half mills."

By Senator Rinehart: In section 3, strike out "credits," line 2, and section 7, line 3.

By Senator Hunsaker: Add to section 13, "*Provided further*, That this shall not apply to migratory stock driven into this state for the purpose of grazing."

Strike out the twenty-third paragraph of section 17.

The Senate, on motion of Senator Houghton, at 9:50 P. M., adjourned.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 20, 1890.
10 o'clock A. M.

Senate called to order pursuant to adjournment; president in the chair.

Roll call; all present except Senators Austin, Fairweather, Fariss, Houghton, Hyde, Kneeland, Landes, Lawrence, Long, Luce, Owings, Parkinson, Rinehart, Snow, Thompson (G. T.), Van Houten, Whalley, Wilson and Wolfe. No quorum.

On motion of Senator Payne, a recess was taken until 10:30 o'clock.

AFTER RECESS.

The Senate was again called to order at 10:30 o'clock A. M.; president in the chair.

All the Senators present but Senators Fairweather, Landes and Whalley, who were excused.

On motion of Senator Guilfoil, the reading of the journal was dispensed with.

The vote by which House bill No. 15 failed to pass was reconsidered, and the bill was laid on the table.

On motion of Senator Payne, the vote by which Senate bill No. 231 failed of passage was reconsidered, and the bill was laid on the table.

On motion of Senator Baker, the vote by which Senate bill No. 180 failed to pass was reconsidered, and the bill placed on final passage, and passed by the following vote:

Yeas: Baker, Clough, Drum, Fariss, Guilfoil, Hunsaker, Kneeland, Lawrence, Owings, Parkinson, Payne, Preston, Rinehart, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Watt, Wilson, Wooding — 21.

Nays: Forsyth, Jones, Kinnear, Seaborg, Wolfe, Wood — 6.

Absent or not voting: Austin, Fairweather, Houghton, Hyde, Landes, Long, Luce, Whalley.

The emergency clause was passed by the following vote:

Yeas: Baker, Drum, Forsyth, Guilfoil, Hunsaker, Jones, Kneeland, Lawrence, Long, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Watt, Wilson, Wolfe, Wooding — 25.

Nays: Kinnear, Seaborg, Wood — 3.

Absent or not voting: Austin, Clough, Fairweather, Fariss, Houghton, Hyde, Landes, Whalley.

House bill No. 264 was, on motion of Senator Drum, laid on the table.

COMMITTEE REPORTS.

MR. PRESIDENT:

The Judiciary Committee, to whom was referred Senate bill No. 233, entitled "An act to define, declare and establish the rights and obligations of telegraph and telephone corporations and companies," have had

the same under consideration, and now report the same back with amendments, and recommend the passage of the bill as amended.

Respectfully submitted,

J. R. KINNEAR, Chairman.

Concurred in by Houghton, Payne and Wood.

MR. PRESIDENT:

Your Committee on State, Granted and School Lands, to whom was referred House bill No. 97, An act to provide for the selection of indemnity lands for support of the common schools in lieu of sections 16 and 36, or any parts thereof, that have been sold or otherwise disposed of by or under the authority of any act of congress, and declaring an emergency, have had the same under consideration, and recommend that it do pass.

W. J. PARKINSON, Chairman,
L. B. CLOUGH,
J. M. SNOW,
E. T. WILSON,
O. D. GUILFOIL.

Senate bill No. 179, Relative to actions for recovery of real estate, was, on motion of Senator Baker, taken up and passed by the following vote:

Yeas: Baker, Clough, Drum, Forsyth, Guilfoil, Hunsaker, Jones, Kinnear, Kneeland, Lawrence, Long, Luce, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Thompson (L. F.), Van Houten, Vestal, Watt, Wilson, Wood, Wooding -- 25.

Absent or not voting: Austin, Fairweather, Fariss, Houghton, Hyde, Landes, Owings, Thompson (G. T.), Whalley, Wolfe.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared, and announced that he had been instructed by the House to inform the Senate that the House has passed Senate bill No. 222, with various amendments.

Has passed Senate bill No. 78, System of schools in cities of 10,000 or more inhabitants, with amendments to the title and sections 13, 16 and 22.

Has indefinitely postponed Senate bill No. 228, An act confirming sheriffs' deeds made by the successor in office of sheriffs who have sold land in pursuance of law, but have neglected to make deeds thereof.

The speaker has signed House bill No. 276, An act making appropriation of the sum of $40,000 for the maintenance of the penitentiary at Walla Walla, State of Washington, for the year eighteen property by corporations for corporate purposes, and of ascertain-

hundred and ninety, passed both houses, and been correctly enrolled.

The speaker has signed Senate bill No. 165, An act to regulate the mode of proceeding to appropriate . ds, real estate or other ing and securing compensation therefor, and repealing laws in conflict with this act, which has passed both house. and been correctly enrolled.

The speaker has signed Senate bill No. 204, An act authorizing and empowering the organized counties of the State of Washington to contract indebtedness, to issue bonds for funding the same, and declaring an emergency, which has passed both houses and been correctly enrolled.

The House has reconsidered its action in asking for a committee of conference on the governor's message, and begs leave to withdraw its request for such joint committee.

Senate bill No. 233 To define, declare and establish the rights and obligations of telegraph and telephone corporations and companies, was taken up and amended as follows:

Strike out of section 5 "any of the waters or lands, or along;" add to section 5, "that when the right-of-way of such corporation has not been acquired by or through any grant or donation from the United States or this state, or any county, city or town therein, then the right to construct and maintain such lines shall be secured only by the exercise of right of eminent domain as provided by law: *Provided further*, That where the right-of-way, as herein contemplated, is within the corporate limits of any incorporated city, the consent of the city council thereof shall be first obtained before such telegraph or telephone lines can be erected thereon."

Add to section 2: "And all telephone companies shall receive and transmit messages for any person." Insert the word "rail" before "road," in last line.

In section 7, strike out "one hundred" and insert "five."

The Senate took a recess until 2 P. M., at 12:10.

AFTER RECESS.

The Senate assembled at 2 P. M., president in the chair.

Roll called; all present except Senators Austin, Fairweather, Landes, Luce, Thompson (L. F.), Whalley and Wooding, who were excused.

Senate bill No. 233 was read third time.

On motion of Senator Payne, the bill was considered engrossed.

The bill was then passed by the following vote:

Yeas: Baker, Clough, Drum, Forsyth, Guilfoil, Hunsaker, Jones, Kinnear, Lawrence, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Thompson (G. T.), Vestal, Watt, Wilson, Wolfe, Wood — 21.

Absent or not voting: Austin, Fairweather, Fariss, Houghton, Hyde, Kneeland, Landes, Long, Luce, Snow, Thompson (L. F.), Van Houten, Whalley, Wooding.

MESSAGES FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, March 20th, 1890.

To the President of the Senate:

I have this day signed and approved the following:

Senate bill No. 121, entitled "An act to provide for the compulsory education of defective youth, and providing penalties for violation of the same."

Senate bill No. 151, entitled "An act to appropriate money to pay for material furnished and labor performed on account of the Washington School for Defective youth."

Senate bill No. 184, entitled "An act granting to the United States for public purposes the use of certain tide lands belonging to the State of Washington."

Senate bill No. 195, entitled "An act to amend section 36, of the Code of Washington, relating to witnesses and evidence."

ELISHA P. FERRY.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, March 20th, 1890.

To the Honorable the Senate of the State of Washington:

GENTLEMEN — I have this day approved Senate bill No. 147, entitled "An act to prevent the obstruction of highways and to abate nuisances thereon, and to provide a penalty," except sections 7, 9 and 10. These sections appear to be foreign to, and not embraced in, the title of the bill, and are therefore not in conformity with section 19, article 2, of the constitution.

Section 7 refers to injuries to mile boards, mile stones, or guide posts; section 9, to riding or driving on any bridge faster than a walk; and section 10, to injuries to shade or ornamental trees on any highway. Neither of these sections, under the most liberal construction, have any reference to "the obstruction of a highway, or the abatement of a nuisance."

These sections are penal in their nature, and it is not proper or advisable that even a single section should be embraced in the statutes of the State under which criminal proceedings might be instituted, costs and

expenses incurred, and then the section declared unconstitutional by the courts.

These sections are not a necessary part of the bill, and all its provisions can be enforced without them. ELISHA P. FERRY.

On motion of Senator Hunsaker, the vote by which sections 7, 9 and 10 of the bill (Senate bill No. 147) was reconsidered.

On the question, Shall the sections pass, notwithstanding the objections of the governor? the vote was as follows:

Yeas: Thompson (G. T.), Wilson — 2.

Nays: Baker, Clough, Drum, Forsyth, Guilfoil, Hunsaker, Hyde, Jones, Kinnear, Lawrence, Owings, Parkinson, Preston, Seaborg, Vestal, Wolfe, Wood — 17.

Absent or not voting: Austin, Fairweather, Fariss, Houghton, Kneeland, Landes, Long, Luce, Payne, Rinehart, Snow, Thompson (L. F.), Van Houten, Watt, Whalley, Wooding.

COMMITTEE REPORT.

MR. PRESIDENT:

The Committee on County and County Boundaries report House bill No. 230 back to the Senate with the following amendment, and recommend the passage of the bill. Section 4 to read as follows:

In voting on the question, each elector must vote for or against the place named in the petition, plainly designating the same on his ballot.

O. D. GUILFOIL, Chairman,
L. F. THOMPSON.

MR. PRESIDENT:

Your Committee on County and County Boundaries have had under consideration since February 7th, House bill No. 18, For township organization. The committee thinks it is a carefully drawn bill, able, and especially voluminous, but deem it is a little too previous at this time, and recommend that it be indefinitely postponed.

O. D. GUILFOIL, Chairman.

The report of the committee was adopted.

Senate bill No. 78, An act to establish a system of common schools.

The amendments of the House were concurred in by the following vote:

Yeas: Baker, Clough, Drum, Fariss, Forsyth, Guilfoil, Hunsaker, Hyde, Jones, Kinnear, Lawrence, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Vestal, Watt, Wolfe, Wood — 21.

Nays: Thompson (L. F.) — 1.

Absent or not voting: Austin, Fairweather, Houghton, Knee-

land, Landes, Long, Luce, Snow, Thompson (G. T.), Van Houten, Whalley, Wilson, Wooding.

The bill was ordered to be enrolled.

Senate bill No. 222, To establish a general uniform system of common schools, with House amendments: All were concurred in but the first amendment in section 3, title 11, which was non-concurred in.

To strike out all of subdivision 6 was non-concurred in.

To insert "or" after "state" was non-concurred in.

To strike out section 5 was non-concurred in.

To insert after word performance, "which sureties shall be citizens of the state," was non-concurred in.

In section 8, line 1, fifth subdivision, to strike out words "to prepare a list of books suitable for school district libraries," was non-concurred in.

All amendments to subdivision No. 13, section 10, was non-concurred in.

Section 17, new section of House, concurred in, except as to the words "three dollars," which was non-concurred in.

To strike out the word "door" in line 11, section 19, was non-concurred in.

Section 20, new section, non-concurred in.

To strike out 26 was non-concurred in.

Last clause added to section 39 was non-concurred in.

To strike out all of title IX was non-concurred in.

To re-number all other sections was non-concurred in.

To title XII, special taxes, to insert after the word levied "together with the names of property owners in said district," was non-concurred in.

To strike out fourth subdivision of section 76 was non-concurred in.

Section 75, new section; no action taken, as no action thereon indicated by clerk of House.

Addition to section 100 was non-concurred in.

Addition to end of subdivision one, section 8, was non-concurred in.

The bill was then referred to the House.

House bill No. 283 was taken up, read third time and amended by inserting in section 1, after "three districts," "and all counties

heretofore divided into three districts may be re-districted and re-divided into three districts."

A substitute was adopted for section 4 and the bill was laid on the table.

President in the chair.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your Committee on Education, to whom was referred Senate bill No. 257, have considered the same and beg leave to report herewith a substitute therefor, and recommend the substitution of the same and that it be referred to the Judiciary Committee.

J. C. LAWRENCE, Chairman.
HENRY DRUM.

MR. PRESIDENT:

Your Committee on Education, to whom was referred Senate bill No. 256, have considered the same and herewith report a substitute therefor, and recommend the substitution of the same, and that it be referred to the Judiciary Committee.

J. C. LAWRENCE, Chairman.
W. J. PARKINSON,
HENRY DRUM.

The substitute bills were both adopted and referred to the Judiciary Committee.

The president announced that he was about to sign House bill No. 276, which was done.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he was instructed by the House to inform the Senate that the House has passed Senate bill No. 5, with various amendments, and has also passed the emergency clause.

On motion of Senator Owings the Senate, at 5 P. M., adjourned.

MORNING SESSION.

SENATE CHAMBER.
OLYMPIA, WASHINGTON, March 21, 1890.
10 o'clock A. M.

Senate called to order, pursuant to adjournment; president in in the chair.

All present except Senators Thompson (L. F.), and Whalley, who were excused.

On motion of Senator Parkinson, the reading of the journal was dispensed with.

Senate bill No. 5 (Municipal Corporations) was taken up, and fourteen House amendments were read, and concurred in. The bill was ordered to be enrolled.

On motion of Senator Wilson, 500 copies of the bill were ordered to be printed in pamphlet form, after the approval of the governor. Following is the vote concurring in the House amendments:

Yeas: Austin, Baker, Clough, Fairweather, Fariss, Guilfoil, Hunsaker, Jones, Kinnear, Kneeland, Landes, Lawrence, Long, Luce, Parkinson, Payne, Preston, Rinehart, Snow, Vestal, Watt, Wilson, Wolfe, Wood, Wooding—25.

Nays: Houghton, Hyde, Seaborg, Van Houten—4.

Absent or not voting: Drum, Forsyth, Owings, Thompson (G. T.), Thompson (L. F.), Whalley.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 246, entitled "An act prescribing the time during which an action may be brought upon or proceedings had to revive judgments," have had the same under consideration, and now respectfully report the same back to the Senate with the recommendation that the bill pass.

Your Committee on Judiciary, to whom was referred House bill No. 274, entitled "An act relating to summary proceedings for obtaining possession of real property in certain cases," have had the same under consideration, and now respectfully report the same back to the Senate with the recommendation that the bill pass.

Your Committee on Judiciary, to whom was referred Senate bill No. 240, entitled "An act providing for the settlement of statements of facts by the judges of the late territorial district courts in certain cases, and declaring an emergency," have had the same under consideration, and now respectfully report the same back with the recommendation that the bill pass.

Your Committee on Judiciary, to whom was referred Senate bill No. 241, entitled "An act concerning the recovery of the possession of land," have had the same under consideration, and now respectfully report the same back to the Senate with the following amendment, and as amended recommend the passage of the bill:

Amendment 1: In section 1, line 3, after the word "title," insert the words "or right of possession."

Respectfully submitted,

J. R. KINNEAR, Chairman.

Report concurred in by Senators Wood, Houghton and Payne, being all the members of said committee present.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills beg leave to report that Senate bill No. 237, entitled "An act to amend an act, entitled 'An act to provide for submitting the question of the permanent location of the seat of government to a vote of the people,'" and Senate concurrent resolution No. 46, Relative to preserving the manuscript of the constitution; also Senate concurrent resolution No. 47, Relative to introduction of bills after limitation of time, have been carefully compared with the engrossed copies thereof, and found correctly enrolled.

J. M. SNOW, Chairman.

The president announced that he was about to sign Senate bill No. 237, Senate concurrent resolution No. 45, and Senate concurrent resolution No. 47, which was done.

Senate bill No. 224 was read and, on motion of Senator Wood, indefinitely postponed.

House bill No. 97, To provide for the selection of indemnity lands for support of the common schools in lieu of sections 16 and 36, or any parts thereof that have been sold or otherwise disposed of by or under the authority of any act of congress, and declaring an emergency, was read third time and passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Forsyth, Guilfoil, Houghton, Humsaker, Hyde, Jones, Kinnear, Kneeland, Landes, Luce, Owings, Parkinson, Rinehart, Seaborg, Snow, Thompson (G. T.), Van Houten, Vestal, Watt, Wolfe, Wood, Wooding—26.

Absent or not voting: Fairweather, Fariss, Lawrence, Long, Payne, Preston, Thompson (L. F.), Whalley, Wilson.

The emergency clause was passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Forsyth, Guilfoil, Houghton, Humsaker, Hyde, Jones, Kinnear, Kneeland, Landes, Luce, Owings, Parkinson, Payne, Rinehart, Seaborg, Snow, Thompson (G. T.), Van Houten, Vestal, Watt, Wilson, Wolfe, Wood, Wooding—29.

Absent or not voting: Fariss, Lawrence, Long, Preston, Thompson (L. F.), Whalley.

House bill No. 230, For the removal and location of county seats, was taken up. The committee amendments were adopted, and the bill passed by the following vote:

Yeas: Baker, Clough, Drum, Fairweather, Forsyth, Guilfoil, Houghton, Humsaker, Hyde, Jones, Kneeland, Long, Luce, Owings,

Parkinson, Payne, Rinehart, Seaborg, Snow, Thompson (G. T.), Van Houten, Vestal, Watt, Wilson, Wolfe, Wood — 26.

Absent or not voting: Austin, Fariss, Kinnear, Landes, Lawrence, Preston, Thompson (L. F.), Whalley, Wooding.

Senate bill No. 231, To regulate the practice of pharmacy, was taken up and passed by the following vote:

Yeas: Austin, Drum, Guilfoil, Houghton, Hyde, Jones, Lawrence, Long, Luce, Owings, Parkinson, Payne, Snow, Thompson (G. T.), Van Houten, Wilson, Wood, Wooding — 18.

Nays: Baker, Clough, Fariss, Forsyth, Hunsaker, Rinehart, Seaborg, Watt, Wolfe — 9.

Absent or not voting: Fairweather, Kinnear, Kneeland, Landes, Preston, Thompson (L. F.), Vestal, Whalley.

COMMITTEE REPORT.

MR. PRESIDENT:

Your committee, to whom was referred Senate bill No. 239, entitled "An act authorizing county commissioners to use certain moneys for rebuilding county buildings," report the same back with recommendation that the bill pass.

N. H. OWINGS,
J. H. LONG,
Committee.

Chairman absent on leave.

The bill (Senate bill No. 239) was passed by the following vote:

Yeas: Baker, Drum, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Jones, Kinnear, Owings, Parkinson, Payne, Rinehart, Seaborg, Snow, Thompson (G. T.), Van Houten, Wilson, Wolfe, Wood, Wooding — 21.

Absent or not voting: Austin, Clough, Fairweather, Fariss, Kneeland, Landes, Lawrence, Long, Luce, Preston, Thompson (L. F.), Vestal, Watt, Whalley.

House bill No. 274, An act relating to summary proceedings for obtaining possession of real property in certain cases, was read a third time, and passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Kinnear, Kneeland, Landes, Lawrence, Luce, Parkinson, Preston, Seaborg, Van Houten, Vestal, Wolfe, Wooding — 21.

Nays: Owings — 1.

Absent or not voting: Fairweather, Fariss, Hyde, Long, Payne, Rinehart, Snow, Thompson (G. T.), Thompson (L. F.), Watt, Whalley, Wilson, Wood.

House bill No. 283, For the dividing of counties into commissioner districts, was taken up and amended as follows:

Insert after the word "county," "and shall be designated and known as districts Nos. 1, 2 and 3."

Add to section 3: "And the person receiving the highest number of votes for the office of commissioner of the district in which he resides, shall be declared duly elected for that district.

The bill was then passed by the following vote:

Yeas: Baker, Clough, Drum, Fariss, Forsyth, Houghton, Hunsaker, Hyde, Jones, Kneeland, Lawrence, Luce, Owings, Parkinson, Payne, Preston, Seaborg, Van Houten, Vestal, Watt, Wilson, Wolfe, Wood, Wooding — 24.

Nays: Kinnear, Landes — 2.

Absent or not voting: Austin, Fairweather, Guilfoil, Long, Rinehart, Snow, Thompson (G. T.), Thompson (L. F.), Whalley.

On motion of Senator Kinnear, House bill No. 274 was re-considered.

Senator Houghton offered section 26 as an emergency clause, which was adopted, and the bill was passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Jones, Kinnear, Kneeland, Landes, Lawrence, Luce, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Van Houten, Vestal, Wilson, Wolfe, Wood, Wooding — 29.

Nays: Owings, Watt — 2.

Absent or not voting: Long, Thompson (G. T.), Thompson (L. F.), Whalley.

The emergency clause was passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Kinnear, Kneeland, Landes, Lawrence, Luce, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Vestal, Wilson, Wolfe, Wood, Wooding — 25.

Nays: Owings — 1.

Absent or not voting: Fairweather, Fariss, Hyde, Long, Thompson (G. T.), Thompson (L. F.), Van Houten, Watt, Whalley.

On motion of Senator Owings, the Senate, at 11:50 A. M., took a recess until 2 o'clock.

AFTER RECESS.

The Senate re-assembled at 2 P. M.; president in the chair.

Roll call; all present except Senators L. F. Thompson and Whalley, who were excused.

Senator Kinnear in the chair.

Senate bill No. 240 was read, Providing for the statements of facts by the judges of the late territorial district courts in certain cases, and declaring an emergency.

The bill was read a third time and passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Guilfoil, Houghton, Hyde, Jones, Kinnear, Kneeland, Landes, Long, Luce, Owings, Parkinson, Payne, Preston, Seaborg, Snow, Van Houten, Vestal, Wilson, Wood, Wolfe, Wooding — 28.

Absent or not voting: Hunsaker, Lawrence, Rinehart, Thompson (G. T.), Thompson (L. F.), Watt, Whalley.

The emergency clause was passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Guilfoil, Houghton, Hyde, Jones, Kinnear, Kneeland, Landes, Long, Luce, Owings, Parkinson, Payne, Preston, Seaborg, Snow, Thompson (G. T.), Van Houten, Vestal, Wilson, Wolfe, Wood, Wooding — 29.

Absent or not voting: Hunsaker, Lawrence, Rinehart, Thompson (L. F.), Watt, Whalley.

House bill No. 293, Establishing a unit of measure for water for irrigation, manufacturing, mining, milling and mechanical purposes, was taken up and the emergency clause passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Guilfoil, Houghton, Hyde, Jones, Kinnear, Kneeland, Landes, Long, Luce, Owings, Parkinson, Payne, Preston, Seaborg, Thompson (G. T.), Vestal, Watt, Wilson, Wolfe, Wood, Wooding — 28.

Absent or not voting: Hunsaker, Lawrence, Rinehart, Snow, Thompson (L. F.), Van Houten, Whalley.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your Committee on Medicine, Surgery, Hygiene and Dentistry, to whom was referred Senate Bill No. 232, have carefully considered the same, and would respectfully recommend its indefinite postponement.

Your Committee on Medicine, Surgery, Hygiene and Dentistry, to

whom was referred Senate bill No. 245, have carefully considered the same, and recommend its indefinite postponement.

F. H. LUCE,
E. B. HYDE.
J. M. SNOW.

The report of the committee was adopted.

MR. PRESIDENT:

Your Committee on Tide Lands have had under consideration Senate bill No. 197, and after careful consideration of same recommend that it be indefinitely postponed.

C. G. AUSTIN, Chairman.

The other members of committee concurring.

The report was adopted.

MR. PRESIDENT:

Your Committee on Tide Lands have had under consideration House bill No. 272, and after careful consideration, beg leave to report same back without amendment or recommendation.

C. G. AUSTIN,
W. H. KNEELAND.
HENRY LANDES.
J. M. SNOW,
F. H. LUCE.
C. T. WOODING.

B. C. Van Houten dissenting.

Senator Houghton moved to make the bill a special order for Saturday, at 1 P. M.

Lost by a divisional vote: Yeas 12, nays 18.

Senator Van Houten offered the following substitute for section 3:

SEC. 3. The governor shall appoint a board of appraisers, consisting of five disinterested freeholders, whose duty it shall be to examine and appraise the shore and tide lands in this state, as hereinafter provided.

The yeas and nays were called for unanimously, and the substitute failed to pass by the following vote:

Yeas: Fariss, Forsyth, Houghton, Hunsaker, Hyde, Lawrence, Payne, Preston, Van Houten, Vestal, Watt, Wilson, Wolfe—13.

Nays: Austin, Baker, Clough, Drum, Fairweather, Guilfoil, Jones, Kinnear, Kneeland, Landes, Long, Luce, Owings, Parkinson, Seaborg, Snow, Thompson (G. T.), Wood, Wooding—19.

Absent or not voting: Rinehart, Thompson (L. F.), Whalley.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he was instructed by the House to inform the Senate that the House has refused to recede from its amendments to Senate bill No. 222. An act to establish a general uniform system of public schools in

the State of Washington, and asks for a committee of conference. The House has appointed on the part of the House as such committee, Messrs. Gandy, Plummer, Evans, Cook, Judson (of Pierce), Ostrander and Judson (of Whatcom).

The House has passed Senate bill No. 216, Authorizing cities and towns to construct internal improvements, and issue bonds to pay therefor.

The House has concurred in the first amendment to House bill No. 250, An act to authorize the hauling of timber across railroads, and non-concurred in the second amendment; and it is herewith returned for your action.

The House has concurred in the Senate amendment to House bill No. 286, An act creating the state land commission.

Also, Senate concurrent resolution No. 46, To authorize the sale of supreme court reports by the state auditor, was adopted.

Has also passed Senate bill No. 238, An act to better protect the health of female employes.

Senator Kinnear in the chair.

Senator Houghton offered an amendment to strike out from section 4 to 12, inclusive, and insert the following substitute:

Wherever the owner or owners of any improved tide or uplands not lying in front of the corporate limits of any city, or within one mile thereof, shall desire to purchase the land occupied by or in front of said improvements, he or they may make an application in writing to the commissioner of public lands to have the same surveyed and sold, as provided for in case of lands lying within or adjacent to corporate cities or towns. The said written application shall contain a full description of the land sought to be purchased, and also the nature and value of the improvements thereon, or adjacent thereto, for the use and convenience of which the said tide lands are sought to be purchased. If it appear to the said commissioner that said lands or any part thereof are necessary to such applicants, or that the same can be sold to the advantage of the state, he shall cause such lands to be surveyed and appraised, and disposed of in the manner heretofore provided for the disposal of lands in or adjacent to incorporated towns or cities. Said board of appraisers shall meet within thirty days after their appointment, and take an oath to support the constitution of the United States, of the State of Washington, and faithfully to discharge the duties of their office, and shall organize by electing one of their number president and one as secretary.

Within thirty days after the harbor line shall have been established and the wharf strip defined, said board shall examine the lands in front of the corporate limits of any incorporated city or within one mile thereof, and cause the same to be platted and divided into streets and

blocks as nearly as may be in size and in conformity with the general plan of the adjacent city: *Provided*, That where in such platting any street would, if extended, run through or take in the land now occupied by a permanent, substantial and valuable improvement, erected in good faith for the purpose of commerce, navigation or manufacture, said street shall terminate upon reaching the same.

Said board shall also cause so much and such portion of said blocks to be subdivided into lots, as in their judgment the best interests of the state requires.

Said board shall then proceed to examine and appraise the shore and tide lands mentioned in this act, fixing a valuation upon each lot, block or separate tract or parcel thereof, excepting such lots, blocks or tracts as are occupied by permanent, substantial and valuable improvements, erected in good faith for the purpose of commerce, navigation or manufacture, which said tracts so noted shall be noted separately, and shall, within thirty days after the completion of said appraisal, cause plats to be filed in the office of auditor of the county in which such lands are located, showing the size, location and appraised value of such lot, block or parcel of land so by them appraised.

Within thirty days after the filing of said plat as aforesaid, the said board shall publish, for four successive issues, in some daily newspaper published in the county where said lands are situated, a notice that at a certain place in said county, and on a day fixed by them and named in said notice, they will offer for sale at public auction the lots, blocks and tracts of land described on said plat, and not occupied as aforesaid, and at the time and place named in said notice shall proceed to offer said lots, blocks and parcels separately to the highest bidder, and if at such sale a sum equal to the appraised value shall be offered, the same shall be disposed of in the manner hereafter provided.

Within thirty days after all of the unoccupied lands shall have been sold, or offered for sale, as hereinbefore provided, said board shall proceed to appraise the said occupied lands, such appraisal and valuation to be made excluding the value of any improvements thereon, and the occupant thereof shall have the exclusive right, for the period of ninety days after such appraisal, to purchase the same at the appraised value, and if such occupant shall not, within the period aforesaid, exercise said right, then said lands shall be offered for sale in the manner hereinbefore provided for unoccupied lands.

Any person, firm or corporation purchasing any of the lands as provided by this act, shall pay, at the time of purchase, ten per cent. of the purchase price to said board, taking the receipt of the president and secretary therefor, and shall be entitled to and receive from the land commission a certificate of purchase, entitling the said purchaser or assigns to a deed of the land purchased upon payment of the amount unpaid at any time within twenty years, with interest at the rate of six per cent per annum, payable annually, on the whole amount remaining unpaid, and upon payment of the whole amount due upon said certificate, said

purchaser shall be entitled to receive a deed, executed by the governor and attested by the secretary of state.

Whenever it shall appear to said board that the owner or owners of lands, abutting or fronting any of the lands mentioned in this act, has made permanent, substantial and valuable improvements on said abutting land, and that the same are *bona fide* in use for the purpose of commerce, navigation or manufacture, and that some part of said tide lands are necessary for the convenient use of said improved abutting land, said board may include, as in the manner provided for improved lands, so much of the tide lands as they shall deem necessary for the convenient use of said abutting owner, and such owner shall have the right to purchase the same in like manner and terms as is herein provided for the improved tide land.

The yeas and nays were called for unanimously, and the substitute was rejected by the following vote:

Yeas: Forsyth, Houghton, Hunsaker, Hyde, Lawrence, Payne, Preston, Van Houten, Vestal, Watt, Wilson, Wolfe — 12.

Nays: Austin, Baker, Clough, Drum, Fairweather, Guilfoil, Jones, Kinnear, Kneeland, Landes, Long, Luce, Owings, Parkinson, Seaborg, Snow, Thompson (G. T.), Wood, Wooding — 19.

Absent or not voting: Fariss, Rinehart, Thompson (L. F.), Whalley.

The bill having been read a third time, was passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Guilfoil, Jones, Kinnear, Kneeland, Landes, Long, Luce, Owings, Parkinson, Seaborg, Snow, Thompson (G. T.), Wood, Wooding — 19.

Nays: Fariss, Forsyth, Houghton, Hunsaker, Hyde, Lawrence, Payne, Preston, Rinehart, Van Houten, Vestal, Watt, Wilson, Wolfe — 14.

Absent or not voting: Thompson (L. F.), Whalley.

Senator Fairweather in the chair.

Senate bill No. 218, To create a board of harbor line commissioners, prescribing their duties and compensation, and declaring an emergency, was taken up and read a third time.

Senator Wilson moved to strike out the words "lieutenant governor" wherever they occur in the bill, and insert "five" instead of the word "four."

Senator Long offered the following substitute:

Insert after "of" and before the words "four persons," the following, and strike out the rest of the sentence, "five members,

to be appointed by the governor and confirmed by the Senate, who shall hold office as other officers or commissioners appointed and confirmed in the state."

The substitute was accepted by Senator Wilson.

The yeas and nays were unanimously called for and the substitute was rejected by the following vote:

Yeas: Baker, Forsyth, Hunsaker, Long, Owings, Payne, Preston, Rinehart, Seaborg, Vestal, Watt, Wilson, Wolfe — 13.

Nays: Austin, Clough, Drum, Fairweather, Fariss, Guilfoil, Jones, Kinnear, Kneeland, Landes, Luce, Parkinson, Snow, Thompson (G. T.), Wood, Wooding — 16.

Absent or not voting: Houghton, Hyde, Lawrence, Thompson (L. F.), Van Houten, Whalley.

Senator Owings moved to amend to insert after "persons," in section 1, the following:

The lieutenant governor shall be ex-officio a member of said board, the other four to be appointed by the governor.

Senator Drum offered the following substitute for the above, which was adopted:

Add to section 1: Provided, if the provisions of this section can not be complied with by the legislature before its final adjournment, then the governor shall fill the vacancies on said board by appointment.

Senator Kneeland moved to strike out "one mile," in section 3, and insert "two miles."

Adopted.

Senator Kinnear moved to insert, after the words "elected," in section 5, the words "or appointed."

Adopted.

Senator Wilson moved to consider the bill engrossed and put it on its final passage.

Adopted.

The bill was then passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Fariss, Guilfoil, Jones, Kinnear, Kneeland, Landes, Luce, Owings, Parkinson, Preston, Seaborg, Snow, Thompson (G. T.), Wood, Wooding — 20.

Nays: Forsyth, Houghton, Hunsaker, Long, Rinehart, Watt, Wilson, Wolfe — 8.

Absent or not voting: Hyde, Lawrence, Payne, Thompson (L. F.), Van Houten, Vestal, Whalley.

Senator Wood moved to lay the bill on the table.

Lost.

The emergency clause failed to pass by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Fariss, Guilfoil, Jones, Kinnear, Kneeland, Landes, Luce, Owings, Parkinson, Seaborg, Snow, Thompson (G. T.), Wood — 18.

Nays: Forsyth, Houghton, Hunsaker, Long, Payne, Preston, Rinehart, Vestal, Watt, Wilson, Wolfe, Wooding — 12.

Absent or not voting: Hyde, Lawrence, Thompson (L. F.), Van Houten, Whalley.

Senator Wooding gave notice of a motion to reconsider the vote by which the emergency clause failed.

The Senate then, at 4 o'clock, on motion of Senator Wilson, adjourned.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 22, 1890.
10 o'clock A. M.

Senate called to order pursuant to adjournment; president in the chair.

Roll called; all present but Senators Guilfoil, Whalley, Hyde, who were excused.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared, and announced that he had been instructed by the House to inform the Senate that the speaker has signed Senate bill No. 237, An act to amend an act entitled "An act to provide for submitting the question of the permanent location of the seat of government to a vote of the people," which has passed both houses, been correctly enrolled.

The speaker has signed House bill No. 185, An act to authorize county commissioners to issue bonds for road purposes, and House bill No. 182, An act to establish a normal school for the State of

Washington in the city of Cheney, in Spokane county, and for the government, management and control of the same, which have passed both Houses and been correctly enrolled.

The speaker has signed House bill No. 262, An act enabling the Indians to sell and alien the lands of the Puyallup Indian reservation in the State of Washington.

The speaker has signed Senate concurrent resolutions Nos. 45 and 47.

The House has concurred in the Senate amendments to House bill No. 274, An act relating to summary proceedings for obtaining possession of real property.

Also, House bill No. 230, An act for the removal and location of county seats.

Also, House bill No. 283, A bill for an act providing for dividing the counties of this state into commissioner districts.

Passed Senate bill No. 202, An act amending the code concerning crimes and punishments.

Also, Senate bill 190, An act to protect all citizens in their civil and legal rights; and Senate Bill No. 188, An act for the relief of certain notaries public.

The House has passed Senate bill No. 36, with amendments to title and sections 4, 10 and 18, An act to provide for and to regulate the registration of voters in cities and towns, and declaring an emergency, but failed to pass the emergency clause.

Also, passed Senate bill No. 4, An act regulating primary elections, with various amendments, as shown in the margin.

Also, passed Senate bill No. 146, An act for the relief of bona fide purchasers of school and university lands, with an amendment to section 1.

Also, passed House bill No. 37, An act to prohibit prize fighting.

The House has passed Senate bill No. 83, An act relating to the state auditor, with amendments, and has also passed the emergency clause.

Has passed Senate bill No. 254, Authorizing the Washington School for Defective Youth to insure buildings.

Has passed Senate bill No. 84, An act relating to state treasurer, with amendments to title and sections as indicated in the margin. Has also passed the emergency clause.

The president announced that he was about to sign House bill No. 185, House bill No. 182, House bill No. 262, which was done.

On motion of Senator Jones, the reading of the journal was dispensed with.

Senator Wooding moved to suspend the rules and reconsider the vote by which the emergency clause of Senate bill No. 218 was lost.

Adopted.

On motion of Senator Wood, the motion to reconsider the vote was laid on the table.

On motion of Senator Drum, Senate bill No. 29 and Senate bill No. 139½, to create a bureau of statistics, were indefinitely postponed.

Senator Snow offered the following:

WHEREAS, Additional clerical assistance is needed in the enrolling department of the Senate, and it is impossible to forsee exactly how much assistance may be needed; therefore, be it

Resolved, That the Committee on Enrolled Bills of the Senate be and it is hereby authorized to employ such extra skilled clerical help as may be necessary, at the rate of five dollars per day for each person actually employed; and that the chairman of said committee report on the last day of the session the total number of extra days' work to be paid for, and that thereupon the president and secretary of the Senate shall draw a certificate in favor of said chairman, certifying to the state auditor the total number of days' service and the total amount due therefor, and thereupon said chairman shall procure from the state auditor his warrant upon the state treasurer for such sum, and shall draw the same from the treasury and pay over to each person entitled thereto the amount due them.

COMMITTEE REPORT.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 247, entitled "An act relating to university lands, and to provide for the establishment, location, maintenance and support for the State University of Washington," have had the same under consideration, and now respectfully report the same back to the Senate with the recommendation that the bill pass with amendment to section 6.

Respectfully submitted,

J. R. KINNEAR, Chairman.

Report concurred in by Senators Wood, Houghton and Payne, being all the members of said committee present.

The amendment was adopted.

The bill was read a third time.

The Senate then, on motion of Senator Rinehart, resolved itself into committee of the whole, Senator Vestal in the chair, to consider the bill.

The committee arose and reported the bill to the Senate with amendments, filling the blanks in section 5 ($1,000), and sections 6, 10 and 15 (31st December, 1891), and portions stricken out of section 15, and a proviso to section 6 added, an addition to section 14, insert in section 3 the words "shall constitute" instead of "as," and the word "and" before "are."

The bill was then passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Forsyth, Houghton, Hunsaker, Jones, Kinnear, Kneeland, Landes, Lawrence, Long, Luce, Owings, Payne, Rinehart, Seaborg, Snow, Thompson (L. F.), Van Houten, Vestal, Wilson, Wolfe, Wood, Wooding — 22.

Absent or not voting: Fariss, Guilfoil, Hyde, Parkinson, Preston, Thompson (G. T.), Watt, Whalley.

The emergency clause was passed by the following vote:

Yeas: Austin, Baker, Drum, Fairweather, Forsyth, Houghton, Hunsaker, Kinnear, Kneeland, Landes, Lawrence, Long, Luce, Payne, Rinehart, Seaborg, Snow, Thompson (L. F.), Van Houten, Vestal, Wilson, Wolfe, Wood, Wooding — 24.

Absent or not voting: Clough, Fariss, Guilfoil, Hyde, Jones, Owings, Parkinson, Preston, Thompson (G.T.), Watt, Whalley.

House bill No. 72, For the establishment and government of the University of Washington, was taken up and passed by the following vote:

Yeas: Austin, Baker, Drum, Fairweather, Houghton, Hunsaker, Jones, Kinnear, Kneeland, Landes, Lawrence, Long, Luce, Owings, Preston, Rinehart, Seaborg, Snow, Van Houten, Vestal, Wolfe, Wood, Wooding — 23.

Absent or not voting: Clough, Fariss, Forsyth, Guilfoil, Hyde, Parkinson, Payne, Thompson (G. T.), Thompson (L. F.), Watt, Whalley, Wilson.

House bill No. 90, To establish an agricultural college and school of science, was taken up and passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Houghton, Hunsaker, Jones, Kinnear, Kneeland, Landes, Lawrence, Long, Owings, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Wolfe, Wood, Wooding — 24.

Absent or not voting: Fariss, Forsyth, Guilfoil, Hyde, Luce, Parkinson, Payne, Vestal, Watt, Whalley, Wilson.

Senator Lawrence gave notice of a motion to reconsider.

The emergency clause was passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Houghton, Hunsaker, Jones, Kinnear, Kneeland, Landes, Long, Owings, Payne, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Wolfe, Wood, Wooding — 25.

Nays: Fariss, Lawrence — 2.

Absent or not voting: Forsyth, Guilfoil, Luce, Hyde, Parkinson, Watt, Whalley, Wilson.

The title was read and amended on motion of Senator Austin.

President in the chair.

Senate bill No. 217, An act to create and define public water ways, was read a third time, amended, inserting the words "city or" before "town," wherever they occur in the bill; strike out in sec. 1, "one mile" and insert "two miles;" in sec. 2, strike out "600" and insert "1,000;" in sec. 4, strike out "and" between "water" and "where," and insert the word "or."

The bill was then laid on the table.

The following committee of conference on Senate bill No. 222 was appointed: Senators Lawrence, Vestal and Watt.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your Standing Committee on Enrolled Bills beg leave to report that Senate bill No. 165, entitled "An act to regulate the mode of proceeding to appropriate lands, real estate, or other property, by corporations for corporate purposes, and of ascertaining and securing compensation therefor, and repealing laws in conflict with this act, and declaring an emergency."

Senate bill No. 204, entitled "An act authorizing and empowering the organized counties of the state of Washington to contract indebtedness, to issue bonds for funding the same, and declaring an emergency," have, on this 21st day of March, 1890, been forwarded to his excellency the governor for his approval. J. M. SNOW, Chairman.

On motion of Senator Owings, the Senate, at 12:20, took a recess until 2 P. M.

MESSAGES FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, March 22d, 1890.

To the President of the Senate:

I have this day signed and approved Senate bill No. 194, entitled "An act to provide a single and uniform method of removing causes from the superior courts to the supreme court, and to regulate the practice in the supreme court in such causes." ELISHA P. FERRY.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, March 21st, 1890.

To the President of the Senate:

I have this day signed and approved Senate bill No. 204, entitled "An act authorizing and empowering the organized counties of the State of Washington to contract indebtedness, to issue bonds for funding the same, and declaring an emergency."

Also, Senate bill No. 165, entitled "An act to regulate the mode of proceeding to appropriate lands, real estate, or other property, by corporations for corporate purposes, and of ascertaining and securing compensation therefor, and repealing laws in conflict with this act, and declaring an emergency." ELISHA P. FERRY.

AFTER RECESS.

Senate called to order at 2 P. M.

President pro tem. in the chair.

All present except Senators Austin, Baker, Fairweather, Guilfoi, Houghton, Hyde, Kinnear, L. F. Thompson, Whalley, all of whom were excused.

Senator Owings moved that when the Senate adjourned, it adjourn to meet at 7:30 P. M., which was adopted.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. ....., entitled "An act relating to the formation of corporations not for pecuniary profit," substitute for Senate bill No. 257, have had the same under consideration, and now respectfully report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

Your Committee on Judiciary, to whom was referred Senate bill No. 235, entitled "An act empowering all private corporations chartered by special acts of the Legislative Assembly of the Territory of Washington to acquire, hold, possess and dispose of property in excess of the amount limited by such acts," have had the same under consideration, and now respectfully report the same back to the Senate with the recommendation that the same be indefinitely postponed.

Respectfully submitted, J. R. KINNEAR, Chairman.

Report concurred in by Senators Wood, Thompson and Houghton, being all the members of said committee present.

The report was adopted.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 234, entitled "An act relating to building, loan and savings associations doing a local business in this state," have had the same under consideration, and now respectfully report that they have prepared and submit

herewith Senate bill No. —, entitled "An act to amend section 2421, chapter CLXXXV, of the Code of Washington, relating to the formation of corporations, as amended by an act entitled 'An act to amend sections 2421, 2430 and 2334, of chapter CLXXXV of the Code of Washington Territory, relating to corporations,' approved February 3d, 1886," as a substitute therefor, and recommend the passage of the said substitute.

Respectfully submitted,

J. R. KINNEAR, Chairman.

Report concurred in by Senators Wood, Houghton and Thompson, being all of the said committee present.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 255, entitled "A bill for an act relating to the election of justices of the peace," have had the same under consideration, and now respectfully report the same back to the Senate with the recommendation that the bill be indefinitely postponed. Respectfully submitted,

J. R. KINNEAR, Chairman.

Report concurred in by Senators Wood, Houghton and Thompson, being all the members of said committee present.

The report was adopted.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 262, have considered the same, and beg to report it back as amended, and recommend its passage. J. R. KINNEAR, Chairman.

Concurred in by Houghton, Wood and Baker.

MR. PRESIDENT:

Your Committee on Medicine, Surgery, Hygiene and Dentistry, to whom was referred Senate bill No. 621, respectfully recommend the indefinite postponement of the same, since a bill covering the same subject matter has already passed.

Your Committee on Medicine, Surgery, Hygiene and Dentistry, to whom was referred Senate bill No. 33, have carefully considered the same, and would respectfully recommend its indefinite postponement.

F. H. LUCE,

J. M. SNOW.

The report was adopted.

MR. PRESIDENT:

Your standing Committee on Revenue and Taxation, to whom was referred Senate bill No. 186, A bill for an act relating to ferries, amendatory of sections 3002, 3003 and 3010 of the Code of Washington, return the same herewith without recommendation.

H. W. FAIRWEATHER, Chairman,

Your standing Committee on Revenue and Taxation, to whom was referred House bill No. 277, An act requiring county, city and town and village treasurers to submit quarterly reports of, and to pay over funds received from, license fees for the sale of intoxicating liquors, and declaring an emergency, return the bill herewith without recommendation.

H. W. FAIRWEATHER, Chairman.

MR. PRESIDENT:

Your Committee on Agriculture, to whom was referred Senate bill No. 259, To authorize the organization of a state fair association, and to locate the Washington State Fair, beg leave to say they have examined the same, and respectfully return it to the Senate with the recommendation that it be indefinitely postponed. L. F. THOMPSON, Chairman.

The report was adopted.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. ——, entitled "An act relating to the formation of corporations for religious, educational, literary, fraternal, benevolent, charitable, temperance and scientific purposes," substitute for Senate bill No. 256, have had the same under consideration, and now respectfully report the same back to the Senate with the following amendments, and as amended recommend the passage of the bill:

Amendment 1: Page 2, sec. 1, line 5, after the word "name" insert the words "specify a time not exceeding fifty years for the existence of the corporation."

Amendment 2: Page 3, Sec. 2, line 10, after the words "corporate name" insert the words "that ——— years was fixed as the period for the existence of said corporation."

Amendment 3: Strike out all of section 7.

Respectfully submitted,

J. R. KINNEAR, Chairman.

Report concurred in by Senators Wood, Houghton and Thompson, being all the members of said committee present.

On motion of Senator Luce, Senate bill No. 219, Relative to regulating the practice of medicine, was taken from the table and indefinitely postponed.

On motion of Senator G. T. Thompson, House bill No. 270, Relative to the officers of the territorial penitentiary, was taken from the table, and the committee amendment to section 1 was adopted, making the salary of physician seven hundred and fifty dollars instead of five hundred dollars.

The bill was read third time and passed by the following vote:

Yeas: Clough, Drum, Fariss, Forsyth, Hunsaker, Jones, Kneeland, Landes, Lawrence, Long, Owings, Parkinson, Payne, Preston,

Rinehart, Snow, Thompson (G. T.), Van Houten, Vestal, Watt, Wolfe, Wood, Wooding—23.

Absent or not voting: Austin, Baker, Fairweather, Guilfoil, Houghton, Hyde, Kinnear, Luce, Seaborg, Thompson (L. F.), Whalley, Wilson.

The emergency clause was passed by the following vote:

Yeas: Baker, Clough, Fariss, Forsyth, Hunsaker, Jones, Kneeland, Landes, Lawrence, Long, Luce, Parkinson, Payne, Preston, Rinehart, Snow, Thompson, (G. T.), Van Houten, Vestal, Watt, Whalley, Wilson, Wolfe, Wooding—24.

Absent or not voting: Austin, Drum, Fairweather, Guilfoil, Houghton, Hyde, Kinnear, Owings, Seaborg, Thompson (L. F.), Wood.

On motion of Sentor Vestal, the House messages were then received.

On motion of Senator Vestal, House bill No. 37, A bill for an act to prohibit prize fighting and sparring matches, was taken up.

Rules suspended, read first and second time by title; rules further suspended, read third time, and passed by the following vote:

Yeas: Clough, Drum, Hunsaker, Jones, Kneeland, Lawrence, Long, Luce, Owings, Parkinson, Payne, Rinehart, Snow, Thompson (G. T.), Vestal, Wilson, Wolfe, Wood, Wooding—19.

Nays: Landes—1.

Absent or not voting: Austin, Baker, Fairweather, Fariss, Forsyth, Guilfoil, Houghton, Hyde, Kinnear, Preston, Seaborg, Thompson (L. F.), Van Houten, Watt, Whalley.

On motion of Senator Kneeland, Senate bill No. 217, To create and define public water ways, was taken from the table, and made a special order for Saturday, March 22d, at 7:30 P. M.

On motion of Senator Lawrence, Senate bill No. 262, An act to amend an act allowing school districts to borrow money and issue bonds for building and furnishing of school houses, was taken up and the committee amendments adopted, and the bill as adopted passed by the following vote:

Yeas: Drum, Forsyth, Houghton, Hyde, Kneeland, Landes, Lawrence, Long, Luce, Owings, Parkinson, Payne, Preston, Snow, Thompson (G. T.), Van Houten, Vestal, Wolfe, Wood, Wooding—20.

Absent or not voting: Austin, Baker, Clough, Fairweather, Far-

iss, Guilfoil, Hunsaker, Jones, Kinnear, Rinehart, Seaborg, Thompson (L. F.), Watt, Whalley, Wilson.

The emergency clause was then passed by the following vote:

Yeas: Clough, Drum, Fariss, Forsyth, Hunsaker, Hyde, Kneeland, Landes, Lawrence, Long, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Snow, Thompson (G. T.), Van Houten, Vestal, Watt, Wilson, Wolfe, Wood, Wooding — 25.

Absent or not voting: Austin, Baker, Fairweather, Guilfoil, Houghton, Jones, Kinnear, Seaborg, Thompson (L. F.), Whalley.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your Committee on Harbor Lines and Navigable Waters would report that they have considered Senate bill No. 258, and approve the same and recommend its passage.

W. H. KNEELAND, Chairman.
H. W. FAIRWEATHER,
W. J. PARKINSON.

MR. PRESIDENT:

Your standing Committee on Engrossed Bills beg leave to report that Senate bill No. 237, entitled "An act to amend an act entitled 'An act to provide for submitting the question of the permanent location of the seat of government to a vote of the people,'" has, on this 22d day of March, 1890, been forwarded to his excellency the governor for his approval.

J. M. SNOW, Chairman.

Senate concurrent resolution No. 45, Relative to preserving the manuscript of the constitution, and Senate concurrent resolution No. 47, Relative to introduction of bills after limitation of time, have, on this 22d day of March, 1890, been forwarded to the secretary of state.

J. M. SNOW, Chairman.

MR. PRESIDENT:

Your Committee on Corporations other than Municipal, to whom was referred House bill No. 259, entitled "A bill for an act to regulate and license insurance business in this state," would report that they have had the same under consideration, and recommend that the same do pass with following amendment:

Amendment: After the word "companies," in the ninth line from the top, in section two (2) of said bill, insert the words "and furnish and produce for examination and investigation books, papers and documents in relation thereto, which said subpœnas must be served in the same manner as if issued from a superior court, and any person who shall fail, neglect or refuse to obey any such subpœna shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than one hundred ($100) dollars nor more than five hundred ($500) dollars, or by imprisonment in the county jail not less than thirty (30) days nor more than six months, or by both such fine and imprisonment, in the discretion of the court," and strike out after said word

"companies" all in said section two (2) in said bill, as referred to your committee.

Respectfully submitted,

N. H. OWINGS,
F. H. LUCE.

MR. PRESIDENT:

Your Committee on Corporations other than Municipal, to whom was referred Senate bill No. 253, entitled "An act to amend section 11 of an act for the relief of settlers in cities and towns on the public lands," would report that they have had said bill under consideration; that in the opinion of your committee the object sought to be attained by such legislation as is proposed by said bill is in all respects just and proper, while your committee entertain grave doubts as to the constitutionality of such legislation if enacted in the terms of said bill; wherefore, your committee reports the same back for the consideration of the Senate without recommendation.

Respectfully submitted,

N. H. OWINGS.
F. H. LUCE.

On motion of Senator Payne, the Senate resolved itself into the committee of the whole to consider Senate bill No. 261.

Senator Luce in the chair.

On motion of Senator Payne, the committee arose and reported the bill back without amendments.

The president pro tem. in the chair.

The bill was then read third time, and amended in section 1 by striking out "one hundred," in line 6, and inserting "twenty-five," and in line 5, by striking out "five" and inserting "three," and in line 7, by changing "to" to "in," and in line 9, by inserting after "informing" the words "orally or."

And in section 2, line 2, by striking out "or allow" and the words "or their."

On motion of Senator Payne, the bill was then laid on the table.

FIRST READING OF BILLS.

Senate bill No. 83 was then taken up, and Senate refused to concur in House amendment by the following vote:

Yeas: Hunsaker, Jones, Kneeland, Luce, Snow, Vestal, Watt, Wilson, Wolfe, Wood — 10.

Nays: Clough, Forsyth, Landes, Owings, Payne, Rinehart, Thompson (G. T.), Van Houten, Wooding — 9.

Absent or not voting: Austin, Baker, Drum, Fairweather, Fariss, Guilfoil, Houghton, Hyde, Kinnear, Lawrence, Long, Parkinson, Preston, Seaborg, Thompson (L. F.), Whalley.

Senator Wood was then excused until Monday.

Senate bill No. 84 was then taken up, and Senate concurred in House amendments to sections 1 and 2, but refused to concur in House amendment to striking out section 7, by the following vote:

Yeas: Clough, Fariss, Jones, Kneeland, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Van Houten —12.

Nays: Forsyth, Hunsaker, Landes, Lawrence, Thompson (G. T.), Vestal, Whalley, Wilson, Wolfe — 9.

Absent or not voting: Austin, Baker, Drum, Fairweather, Guilfoil, Houghton, Hyde, Kinnear, Long, Payne, Thompson (L. F.), Watt, Wood, Wooding.

Senate bills Nos. 254, 202 and 216, Senate resolution No. 46 and Senate bill No. 238 were ordered enrolled.

The Senate refused to recede from its amendment to House bill No. 250.

Senator Lawrence in the chair.

Senate Bill No. 188 was ordered enrolled.

On motion of Senator Preston, House bill No. 121 was taken from the table and committee amendments adopted, striking out "state examiner" wherever it appears in the bill, and insert "state auditor," and striking out of section 33 line number 22, and also striking out section 40.

During the reading of section 7, the vote by which the Senate was to meet this evening at 7:30 P. M. was reconsidered, and, on motion of Senator Wilson, on a divisional vote, 12 yeas, 6 nays, the Senate, at 4:25, adjourned.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 24, 1890.
10 o'clock A. M.

Senate called to order pursuant to adjournment by the secretary.

On motion of Senator Rinehart, Senator Wilson was called to the chair as president pro tem.

Roll called; all present but Senators Austin, Baker, Drum, Fairweather, Guilfoil, Houghton, Hyde, Jones, Kinnear, Kneeland, Landes, Long, Parkinson, Payne, Snow, Watt, Whalley and Wood.

There not being a quorum present a recess was taken for fifteen minutes.

The Senate re-assembled, President pro tem. Parkinson in the chair.

All present but Senators Austin, Baker, Drum, Fairweather, Guilfoil, Hyde, Kneeland, Landes, Long, Whalley and Wood, who were excused.

On motion of Senator Wilson, the reading of the journal was dispensed with.

Senator Hunsaker presented a petition from citizens of Klickitat county, relative to prohibiting fishing for trout in certain months of the year.

Placed on file.

Senate concurrent resolution No. 48, To allow a bill to be introduced in the legislature to authorize and empower the governor to appoint certain trustees, commissioners and other officers when the legislature is not in session: read and laid on the table.

MR. PRESIDENT:

Your committee, to whom was referred Senate bill No. 244, recommend that it be indefinitely postponed, for the reason that it seems to be directly in conflict with section 29 of article 2 of the constitution.

P. A. PRESTON,
For the Committee.

The report and bill were, on motion of Senator Owings, laid on the table by the following vote:

Yeas: Houghton, Luce, Owings, Parkinson, Preston, Seaborg, Snow, Thompson (G. T.), Vestal, Wilson, Wolfe, Wooding — 12.

Nays: Fairweather, Forsyth, Hunsaker, Lawrence, Rinehart, Thompson (L. F.), Van Houten, Watt — 8.

Absent or not voting: Austin, Baker, Clough, Drum, Fariss, Guilfoil, Hyde, Jones, Kinnear, Kneeland, Landes, Long, Payne, Whalley, Wood.

Senate bill No. 222 was referred to the Conference Committee.

Senator Luce in the chair.

Senate bill No. 116, For the relief of purchasers of university lands, was read with house amendments, and they were non-concurred in by the following vote:

Yeas: Hunsaker, Jones, Kinnear, Owings, Parkinson, Preston, Rinehart, Thompson (G. T.), Wolfe, Wooding — 10.

Nays: Clough, Fariss, Forsyth, Houghton, Seaborg, Thompson (L. F.), Van Houten, Vestal, Watt — 9.

Absent or not voting: Austin, Baker, Drum, Fairweather, Guilfoil, Hyde, Kneeland, Landes, Lawrence, Long, Luce, Payne, Snow, Whalley, Wilson, Wood.

On motion of Senator Lawrence, the Senate asked for a conference committee on House bill No. 250, Relative to railroad crossings.

Senate bill No. 36 was read with House amendments, which were concurred in, and the bill was orderd to be enrolled. Following was the vote to concur:

Yeas: Clough, Forsyth, Houghton, Hunsaker, Jones, Kinnear, Lawrence, Luce, Owings, Parkinson, Rinehart, Seaborg, Van Houten, Vestal, Watt, Wilson, Wolfe, Wooding — 18.

Absent or not voting: Austin, Baker, Drum, Fairweather, Fariss, Guilfoil, Hyde, Kneeland, Landes, Long, Payne, Preston, Snow, Thompson (G. T.), Thompson (L. F.), Whalley, Wood.

Senate bill No. 4, Relative to primary elections:

The House amendments were concurred in by the following vote:

Yeas: Clough, Fariss, Forsyth, Houghton, Hunsaker, Jones, Kinnear, Lawrence, Luce, Owings, Parkinson, Payne, Rinehart, Seaborg, Snow, Vestal, Watt, Wilson, Wolfe, Wooding — 20.

Absent or not voting: Austin, Baker, Drum, Fairweather, Guilfoil, Hyde, Kneeland, Landes, Long, Preston, Thompson (G. T.), Thompson (L. F.), Van Houten, Whalley, Wood.

The bill was ordered to be enrolled.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he was instructed by the House to inform the Senate that the House has adopted House concurrent resolutions Nos. 32 and 33, Asking to introduce new business within ten days of adjournment, and asks the immediate action of the Senate thereon.

The House has refused to recede from its action in non-concurring in the amendment numbered section 3 of House bill No. 250, Authorizing the hauling of timber across railroads, and asks for a committee of conference. The House has appointed Messrs. Bothell, Ostrander, McReavy and Robertson.

The House also refuses to recede from its action on the amendment non-concurred in by the Senate, to Senate bill No. 84, Relating to the duties of state treasurer, and asks for a conference

committee. The House has appointed Messrs. Pickrell, Shaw and Nims on the part of the House.

Senate bill No. 241, For the recovery of the possession of land, etc., was read with committee amendment.

The amendment was adopted, the bill read a third time, and passed by the following vote:

Yeas: Clough, Forsyth, Houghton, Hunsaker, Jones, Kinnear, Lawrence, Luce, Owings, Parkinson, Rinehart, Seaborg, Thompson (L. F.), Van Houten, Vestal, Watt, Wilson, Wolfe, Wooding — 19.

Absent or not voting: Austin, Baker, Drum, Fairweather, Fariss, Guilfoil, Hyde, Kneeland, Landes, Long, Payne, Preston, Snow, Thompson (G. T.), Whalley, Wood.

Senate bill No. 246, Relative to reviving judgments, was read third time, and passed by the following vote:

Yeas: Clough, Fariss, Forsyth, Houghton, Hunsaker, Jones, Kinnear, Lawrence, Luce, Owings, Parkinson, Rinehart, Seaborg, Thompson (L. F.), Van Houten, Vestal, Watt, Wilson, Wolfe, Wooding — 20.

Absent or not voting: Austin, Baker, Drum, Fairweather, Guilfoil, Hyde, Kneeland, Landes, Long, Payne, Preston, Snow, Thompson (G. T.), Whalley, Wood.

Senate bill No. 253, For the relief of settlers in cities and towns on public lands, was read a third time, and failed of passage by the following vote:

Yeas: Clough, Fariss, Hunsaker, Lawrence, Luce, Owings, Parkinson, Payne, Preston, Thompson (L. F.), Thompson (G. T.), Van Houten, Wilson, Wooding — 15.

Nays: Forsyth, Houghton, Kinnear, Seaborg, Watt, Wolfe — 6.

Absent or not voting: Austin, Baker, Drum, Fairweather, Guilfoil, Hyde, Jones, Kneeland, Landes, Long, Rinehart, Snow, Vestal, Whalley, Wood.

COMMITTEE REPORT.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills beg leave to report that Senate bill No. 78, entitled "An act to establish a system of common schools in cities of ten thousand or more inhabitants, and to provide for properly maintaining and governing and grading the same, has been carefully compared with the engrossed copy thereof, and found correctly enrolled.

J. M. SNOW, Chairman.

At 11:40 the Senate took a recess until 2 P. M.

AFTER RECESS.

The Senate re-assembled at 2 o'clock P. M.

All the Senators present except Senators Baker, Drum, Fairweather, Guilfoil, Hyde, Kneeland, Landes, Whalley and Wood, who were excused.

President pro tem. Parkinson in the chair.

House bill No. 259 was read with amendments to section 2 of Senate Committee on Corporations other than Municipal.

The amendment was agreed to.

Senator Wilson offered an amendment to section 9 as a proviso, requiring all companies to make publication of assets and liabilities twice a year in newspapers, the same as banks.

Not adopted.

The bill was then read a third time.

The president announced the following conference committees:

On Senate bill No. 250, Senators Seaborg, Hunsaker, Wooding.

On Senate bill No. 84, Senators Vestal, Wilson, Luce.

Senator Wilson moved that the Senate instruct the Committee on Revenue and Taxation to report the printed bill (on revenue) to the Senate at once, as the original bill was missing.

Senator Hunsaker moved that all the bills in the hands of the Revenue and Taxation Committee take the same course.

The amendment was adopted, and the motion as amended was passed.

Senate bill No. 143 was, on motion of Senator Kinnear, ordered to be enrolled.

Senator Wilson offered the following, which was adopted:

Resolved, That the secretary of the Senate be empowered to prepare the journal of the present session of the Senate for publication, and place the same in the hands of the public printer.

Resolved, further, That the said secretary be allowed the sum of two hundred dollars or so much thereof as may be necessary for said work, and that the above amount be placed in the general appropriation bill.

House bill No. 259: Senator Rinehart moved an amendment to section 11: "Provided that the provisions of this section shall not take effect until after the expiration of one year from the date this act shall go into effect."

The bill passed by the following vote:

Yeas: Austin, Clough, Houghton, Hunsaker, Jones, Kinnear, Long, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg.

Thompson (G. T.), Thompson (L. F.), Vestal, Wilson, Wolfe, Wooding — 19.

Absent or not voting: Baker, Drum, Fairweather, Fariss, Forsyth, Guilfoil, Hyde, Kneeland, Landes, Lawrence, Payne, Snow, Van Houten, Watt, Whalley, Wood.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he was instructed by the House to inform the Senate that the speaker has signed House bill No. 286, An act creating the state land commission, to define the duties and provide for assistance for, and fix the compensation of commissioners of public lands; House bill No. 97, An act to provide for the selection of indemnity lands for the support of the common schools, which passed both houses and been correctly enrolled.

The House has concurred in the Senate amendments to House bill No. 72, Establishing a state university, and ordered the bill enrolled.

The House has receded from its amendments to Senate bill No. 83, Defining the duties of the state auditor, and returns it to the Senate for enrollment.

COMMITTEE REPORT.

MR. PRESIDENT:

Your Committee on Revenue and Taxation, to whom was referred Senate bill No. 174, An act to regulate and manage banking associations, would report without recommendation.

C. T. WOODING,
B. C. VAN HOUTEN,
E. T. WILSON,
J. HUNSAKER.

MR. PRESIDENT:

Your Committee on Revenue and Taxation, to whom was referred Senate bill No. 136, An act for the organization, general powers and management of banking associations, would amend by striking out section 10, and recommend its passage as amended.

C. T. WOODING,
B. C. VAN HOUTEN,
E. T. WILSON,
J. HUNSAKER.

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, March 22, 1890.

To the President of the Senate:

I have this day signed and approved Senate bill No. 237, entitled "An act to amend an act entitled 'An act to provide for submitting the ques-

tion of the permanent location of the seat of government to a vote of the people.'" ELISHA P. FERRY.

Senate joint resolution No. 48, To allow the introduction of a bill before the adjournment, was taken up and passed by the following vote:

Yeas: Austin, Clough, Fariss, Forsyth, Houghton, Hunsaker, Jones, Kinnear, Lawrence, Long, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Watt, Wilson, Wolfe, Wooding—25.

Absent or not voting: Baker, Drum, Fairweather, Guilfoil, Hyde, Kneeland, Landes, Payne, Whalley, Wood.

House concurrent resolution No. 33, To permit the introduction of a bill before adjournment, was passed by the following vote:

Yeas: Austin, Clough, Fariss, Forsyth, Houghton, Hunsaker, Jones, Kinnear, Lawrence, Long, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Watt, Wilson, Wolfe, Wooding — 25.

Absent or not voting: Baker, Drum, Fairweather, Guilfoil, Hyde, Kneeland, Landes, Payne, Whalley, Wood.

House concurrent resolution No. 32, To permit the introduction of a bill before adjournment, was passed by the following vote:

Yeas: Austin, Clough, Fariss, Forsyth, Houghton, Hunsaker, Jones, Kinnear, Long, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Watt, Wilson, Wolfe, Wooding — 24.

Absent or not voting: Baker, Drum, Fairweather, Guilfoil, Hyde, Kneeland, Landes, Lawrence, Payne, Whalley, Wood.

House bill No. 177, To provide for the assessment and collection of taxes in the State of Washington, was taken up.

Section 16 was stricken out, and the bill failed of passage by the following vote:

Yeay: Austin, Hunsaker, Jones, Long, Luce, Owings, Parkinson, Preston, Seaborg, Snow, Thompson (L. F.), Wooding — 12.

Nays: Forsyth, Houghton, Kinnear, Lawrence, Van Houten, Watt, Whalley, Wolfe — 8.

Absent or not voting: Baker, Clough, Drum, Fairweather, Fariss, Guilfoil, Hyde, Kneeland, Landes, Payne, Rinehart, Thompson (G. T.), Vestal, Wilson, Wood.

Senator Kinnear, who had changed his vote to the negative, gave notice of a motion to reconsider.

The report of the conference committee on Senate bill No. 222 was read and agreed to by the following vote:

Yeas: Austin, Baker, Fariss, Houghton, Hunsaker, Jones, Kinnear, Lawrence, Long, Owings, Parkinson, Preston, Rinehart, Seaborg, Thompson (L. F.), Van Houten, Vestal, Watt, Wilson, Wooding—20.

Absent or not voting: Clough, Drum, Fairweather, Forsyth, Guilfoil, Hyde, Kneeland, Landes, Luce, Payne, Snow, Thompson (G. T.), Whalley, Wolfe, Wood.

THE REPORT.

To the Senate and House of Representatives:

We, your Committee on Conference on Senate bill No. 222, have carefully considered the amendments thereto, and beg to recommend as follows:

That the Senate concur in the House amendments to section 2, second subdivision; also, to the sixth clause, except the words "He shall be ex-officio president of the state board of education."

That the House recede from its amendment to section 4.

That the words "1,000" in section 5 be changed to "500" and the Senate concur.

That the House recede from amendment to section 8.

That the Senate concur in House amendments with reference to district libraries by striking out all reference to district libraries.

That the House recede from amendments to thirteenth clause, section 11.

That the Senate concur in House amendments to sections 19 and 20, with regard to appeals to county commissioners, and that the House recede from all other amendments to said sections.

That House amendment to section 39 to read: "No teacher shall be employed except by written order of a majority of the board of directors at a regular or special meeting thereof, nor unless the holder of a legal teacher's certificate in full force and effect," and the Senate concur.

That the House recede from amendments to sections 17, 58, 80 and 100. The sections referred to are as numbered in the printed bill.

Very respectfully,

J. C. LAWRENCE,
SAMUEL VESTAL,
ALEX. WATT,
Senate Committee.

House bill No. 264 was taken up.

Senator Lawrence in the chair.

The bill was read a third time, and passed by the following vote:

Yeas: Austin, Clough, Fariss, Forsyth, Houghton, Hunsaker,

Jones, Kinnear, Lawrence, Long, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Thompson (L. F.), Vestal, Watt, Wolfe, Wooding—21.

Absent or not voting: Baker, Drum, Fairweather, Guilfoil, Hyde, Kneeland, Landes, Payne, Snow, Thompson (G. T.), Van Houten, Whalley, Wilson, Wood.

The emergency clause was passed by the following vote:

Yeas: Austin, Clough, Fariss, Forsyth, Houghton, Hunsaker, Jones, Kinnear, Lawrence, Long, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Watt, Wolfe, Wooding—24.

Absent or not voting: Baker, Drum, Fairweather, Guilfoil, Hyde, Kneeland, Landes, Payne, Whalley, Wilson, Wood.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared, and announced that he had been instructed by the House to inform the Senate that the House has agreed to the report of the conference committee on Senate bill No. 222.

The House has concurred in the Senate amendments to House bill No. 259, and ordered the same to be enrolled.

Senate concurrent resolution No. 49 (by consent) was offered by Senator Preston, Relative to printing the revenue and road bills and school law.

Laid on the table.

Senate bill No. 136 was taken up, read third time, amended, and failed of passage by the following vote:

Yeas: Clough, Forsyth, Houghton, Kinnear, Lawrence, Long, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Snow, Vestal —14.

Nays: Austin, Fariss, Hunsaker, Jones, Seaborg, Thompson (G. T.), Wolfe, Wooding—8.

Absent or not voting: Baker, Drum, Fairweather, Guilfoil, Hyde, Kneeland, Landes, Thompson (L. F.), Van Houten, Watt, Whalley, Wilson, Wood.

On motion of Senator Owings the Senate, at 4:40, took a recess until 7:30 P. M.

EVENING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 24, 1890.
7:30 o'clock P. M.

The Senate re-assembled at 7:30 o'clock P. M.; Senator Houghton in the chair and a quorum present.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he had been instructed by the House to inform the Senate that the speaker has signed House bill No. 37, To prohibit prize fighting.

Also House bill No. 230, To provide for the removal and location of county seats.

Also House bill No. 239, Establishing a unit of measure for water for irrigation.

All of which have passed both houses and been correctly enrolled.

The House has concurred in all the Senate amendments to House bill No. 264, except that to section 5. The bill is to provide for the sale and leasing of school lands. The House asks for a committee of conference.

President pro tem. Parkinson in the chair.

The president pro tem. appointed the following conference committee on section 5 of House bill No. 264: Senators Payne, Clough and Fariss.

House bill No. 121, Relative to building, loan and saving associations, was read and amended as follows: Strike out "state examiners" wherever it occurs in the bill, and insert in lieu thereof "state auditor;" strike out of section 33, line No. 22; strike out section 40.

The bill was then laid on the table by a divisional vote: yeas 12, nays 9.

The Judiciary Committee made the following report:

MR. PRESIDENT:

Judiciary Committee now reports Senate bill No. 248, An act relative to community property, without recommendation.

J. R. KINNEAR, Chairman.

MESSAGE FROM THE HOUSE.

The chief clerk of the house appeared and announced that he had been instructed by the House to inform the Senate that the speaker has signed House bill No. 270, An act to amend section 3 of an act entitled "An act to govern the officers of the territorial penitentiary, and to provide for their compensation," which has passed both houses and been correctly enrolled.

The House has refused to recede from its amendments to section 1 of Senate bill No. 146, An act for the relief of bona fide purchasers of university lands.

Senate bill No. 234, substitute, To amend section 2421 of chapter CLXXXV of the Code of Washington, relating to the formation of corporations, as amended by an act entitled "An act to amend sections 2421, 2430, 2434 of chapter CLXXXV of the Code of Washington Territory, relating to corporations, approved February 3, 1886."

The bill was read a third time, and passed by the following vote:

Yeas: Austin, Clough, Forsyth, Houghton, Hunsaker, Kinnear, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Van Houten, Vestal, Watt, Wolfe, Wooding — 19.

Absent or not voting: Baker, Drum, Fairweather, Fariss, Guilfoil, Hyde, Jones, Kneeland, Landes, Lawrence, Long, Thompson (G. T.), Thompson (L. F.), Whalley, Wilson, Wood.

COMMITTEE REPORT.

MR. PRESIDENT:

Your Committee on Corporations other than Municipal, to whom was referred Senate bill No. 123, entitled "An act granting to railroad corporations the right-of-way through certain public lands of the State of Washington, and to safely secure to the state the full market value of such right-of-way, and declaring an emergency," and House bill No. 212, entitled "A bill for an act granting to railroad corporations, individuals or co-partnerships a right-of-way through school lands of the State of Washington, "would report, that they have had the same under consideration, that they have thoroughly investigated the same, and have concluded that the subjects proposed to be legislated upon by said bills may properly be covered by one bill, thereby avoiding the needless expenditure of time in the consideration of two bills.

Wherefore, your committee report said bills back with the recommendation that they be indefinitely postponed, and that the bill herewith transmitted be passed as a substitute bill therefor.

Respectfully submitted,

N. H. OWINGS, Chairman.
H. E. HOUGHTON.
F. H. LUCE.
W. J. PARKINSON.
C. G. AUSTIN,
Committee.

Senate bill No. 263, substitute for Senate bill No. 123, and House bill No. 212, by the Senate Committee on Corporations other than Municipal, was read a third time, and passed by the following vote:

Yeas: Austin, Clough, Forsyth, Houghton, Jones, Kinnear, Long, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Thompson (L. F.), Van Houten, Wood, Wooding — 19.

Nays: Hunsaker — 1.

Absent or not voting: Baker, Drum, Fairweather, Fariss, Guilfoil, Hyde, Kneeland, Landes, Lawrence, Thompson (G. T.), Vestal, Watt, Whalley, Wilson, Wolfe.

Senate bill No. 261, For the protection of discharged employes, and to prevent black listing, was taken up and failed of passage by the following vote:

Yeas: Clough, Houghton, Kinnear, Long, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Snow, Van Houten, Vestal, Watt — 14.

Nays: Austin, Forsyth, Hunsaker, Luce, Seaborg, Thompson (L. F.), Wolfe, Wooding — 8.

Absent or not voting: Baker, Drum, Fairweather, Fariss, Guilfoil, Hyde, Jones, Kneeland, Landes, Lawrence, Thompson (G. T.), Whalley, Wilson, Wood.

Senate bill No. 186, An act relating to ferries, amendatory of sections 3002, 3003 and 3010 of the Code of Washington, was read a third time and failed of passage by the following vote:

Yeas: Clough, Forsyth, Hunsaker, Kinnear, Long, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Thompson (L. F.), Van Houten, Wilson, Wooding — 16.

Nays: Houghton, Lawrence, Luce, Vestal, Watt.

Absent or not voting: Austin, Baker, Drum, Fairweather, Fariss, Guilfoil, Hyde, Jones, Kneeland, Landes, Thompson (G. T.), Whalley, Wolfe, Wood.

Senator Austin having changed his vote to the negative gave notice of a motion to reconsider, unanimous consent was given, and the vote by which the bill failed was reconsidered and the bill laid on the table.

House bill No. 277, Relative to county, city and town treasurers to report quarterly as to the sale of intoxicating liquors, was read a third time and indefinitely postponed.

Substitute for Senate bill No. 256, by the committee on educa-

tion, was read a third time, the amendments of the committee were adopted, and the bill passed by the following vote:

Yeas: Austin, Clough, Forsyth, Houghton, Hunsaker, Kinnear, Lawrence, Long, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Snow, Van Houten, Vestal, Watt, Wolfe, Wooding — 20.

Absent or not voting: Baker, Drum, Fairweather, Fariss, Guilfoil, Hyde, Jones, Kneeland, Landes, Seaborg, Thompson (G. T.), Thompson (L. F.), Whalley, Wilson, Wood.

Senate bill No. 258, Relative to the construction of a ship canal connecting Port Townsend bay with Oak bay, and to declare an emergency, was read a third time and laid on the table.

Senate bill No. 174 was, on motion of Senator Vestal, indefinitely postponed.

On motion of Senator Kinnear, the Senate, at 9:20 o'clock, adjourned.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 25, 1890.
10 o'clock A. M.

Senate called to order pursuant to adjournment.

President pro tem. in the chair.

Roll call; all present except Senators Drum, Fairweather, Hyde, Landes, Thompson (G. T.), Thompson (L. F.), Whalley and Wood, who were excused.

On motion of Senator Snow, the reading of the minutes was dispensed with.

Senate bill No. 112, Relative to purchase of furniture for state offices, was, on motion of Senator Rinehart, indefinitely postponed.

Senate bill No. 27, Relative to organized bodies of men, was, on motion of Senator Luce, indefinitely postponed.

Senator Lawrence in the chair.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he had been instructed by the House to inform the Senate that the House has passed House bill No. 300, "An act relating to the trial by jury of actions before justices of the peace."

Also, House bill No. 332, "An act to amend an act entitled 'An act to authorize the appointment of commissioners of deeds,' and declaring an emergency."

Also, House bill No. 313, "An act to provide for the restoration of court records and files which have been lost or destroyed by fire, and declaring an emergency."

Also, House bill No. 331, "A bill for an act to amend section 1 of an act to remove causes from the superior court."

Also, Senate bill No. 220, "An act relating to costs in the superior courts."

Also, House bill No. 273, Providing for the organization and discipline of the militia of the state.

The House has passed Senate bill No. 16, An act in relation to the organization, powers and duties of the superior courts; also passed the emergency clause.

Also, Senate bill No. 133, An act authorizing railroad corporations to construct branches and extensions from their railroads; passed the emergency clause.

Has also passed Senate bill No. 233, Granting railroad corporations the right to bridge navigable waters; also passed the emergency clause.

President pro tem. Parkinson in the chair.

Senate bill No. 115, Duties and salaries of county auditors, was, on motion of Senator Vestal, indefinitely postponed.

Senate bill No. 47, Relative to normal schools, was, on motion of Senator Seaborg, indefinitely postponed.

Senate bill No. 168, Relative to tide lands, was, on motion of Senator Snow, indefinitely postponed.

Senate bill No. 173 was, on motion of Senator Houghton, indefinitely postponed.

House bill No. 242, Relative to civil actions in superior courts, was indefinitely postponed.

Senate bill No. 186, Relative to ferries, failed of passage by the following vote:

Yeas: Clough, Hunsaker, Jones, Kinnear, Kneeland, Long, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Van Houten, Wolfe—16.

Nays: Austin, Fariss, Forsyth, Houghton, Lawrence, Watt—6.

Absent or not voting: Baker, Drum, Fairweather, Guilfoil, Hyde,

Landes, Thompson (G. T.), Thompson (L. F.), Vestal, Whalley, Wilson, Wood, Wooding.

House bill No. 313, To provide for the restoration of court records and files, etc., destroyed by fire or otherwise.

Rules suspended, read first and second time by title; rules further suspended, read third time, and passed by the following vote:

Yeas: Austin, Clough, Fariss, Forsyth, Houghton, Hunsaker, Jones, Kinnear, Kneeland, Lawrence, Long, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Vestal, Watt, Wilson, Wolfe — 22.

Absent or not voting: Baker, Drum, Fairweather, Guilfoil, Hyde, Landes, Snow, Thompson (G. T.), Thompson (L. F), Van Houten, Whalley, Wood, Wooding.

The bill was then laid on the table.

Senate bill No. 217, To create and define public water ways, was taken up, amended in section 2 by inserting "at low tide" after "water." Section 4 was stricken out.

The bill was then passed by the following vote:

Yeas: Austin, Baker, Clough, Fariss, Guilfoil, Houghton, Jones, Kinnear, Kneeland, Lawrence, Long, Luce, Owings, Parkinson, Preston, Seaborg, Snow, Vestal, Wilson, Wolfe — 20.

Nays: Forsyth, Hunsaker, Payne, Rinehart, Watt — 5.

Absent or not voting: Drum, Fairweather, Hyde, Landes, Thompson (G. T.), Thompson (L. F.), Van Houten, Whalley, Wood, Wooding.

House bill No. 273, the military bill, was taken up and read a third time, and passed by the following vote:

Yeas: Austin, Baker, Clough, Forsyth, Hunsaker, Jones, Kinnear, Kneeland, Long, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Wilson, Wolfe, Wooding — 19.

Nays: Houghton, Lawrence, Van Houten, Vestal, Watt — 5.

Absent or not voting: Drum, Fairweather, Fariss, Guilfoil, Hyde, Landes, Payne, Thompson (G. T.), Thompson (L. F.), Whalley, Wood.

Senator Hunsaker offered the following:

SENATE CONCURRENT RESOLUTION NO. 50.

Be it resolved by the Senate the House of Representatives concurring: That J. Hunsaker be allowed to introduce a new bill within the limit of ten days fixed for the date of final adjournment of the legislature, to prevent the destruction of brook or mountain trout.

The resolution failed by the following vote.

Yeas: Austin, Baker, Clough, Guilfoil, Hunsaker, Jones, Kinnear, Kneeland, Lawrence, Owings, Parkinson, Preston, Seaborg, Snow, Wilson, Wolfe, Wooding — 17.

Nays: Forsyth, Houghton, Van Houten, Watt — 4.

Absent or not voting: Drum, Fairweather, Fariss, Hyde, Landes, Long, Luce, Payne, Rinehart, Thompson (G. T.), Thompson (L. F.), Vestal, Whalley, Wood.

On motion of Senator Van Houten, the Senate took a recess until 3 P. M.

AFTER RECESS.

The Senate re-assembled at 3 o'clock.

All present except Senators Hyde, Landes, G. T. Thompson, L. F. Thompson, Whalley and Wood, who were excused.

The president pro tem. announced that he was about to sign House bills Nos. 37, 293, 230, 286, 97, 270 and Senate bill No. 78, which was done.

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, March 25th, 1890.

To the Honorable the Senate of the State of Washington:

I have made the following appointments, and ask that the Senate advise and consent thereto:

Pilot commissioners for the district of Puget Sound: John H. Stetson, John P. Betts and Charles H. Jones.

Trustees for the Washington School for Defective Youth: Louis Sohns, John R. Thompson, B. F. Shaw and Charles Brown.

Trustees for The Western Washington Hospital for the Insane: Lyman D. Andrews, King county; W. J. Fife, Pierce county; and George D. Shannon, Thurston county.

Trustees for The Eastern Washington Hospital for the Insane: D. F. Percival, Wilson Lockhart and Charles McDonall.

Inspectors of coal mines: William Griffith, Kittitas county — First Inspection District. Edward T. Morgan, King county — Second Inspection District.

ELISHA P. FERRY.

EXECUTIVE SESSION.

On motion of Senator Wilson, the Senate went into executive session with open doors.

Coal inspectors Wm. Griffith and Edward T. Morgan were, on motion of Senator Kinnear, confirmed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Kinnear, Long, Luce, Ow-

ings, Parkinson, Preston, Rinehart, Seaborg, Vestal, Watt, Wilson, Wolfe, Wooding — 23.

Absent or not voting: Fariss, Hyde, Kneeland, Landes, Lawrence, Payne, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Whalley, Wood.

The pilot commissioners, John H. Stetson, John P. Betts and Charles H. Jones, were confirmed by the following vote:

Yeas: Baker, Clough, Drum, Fairweather, Forsyth, Houghton, Hunsaker, Kinnear, Kneeland, Long, Luce, Parkinson, Preston, Rinehart, Vestal, Watt, Wilson, Wolfe — 18.

Absent or not voting: Austin, Fariss, Guilfoil, Hyde, Jones, Landes, Lawrence, Owings, Payne, Seaborg, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Whalley, Wood, Wooding.

The trustees for the Washington School for Defective Youth, Louis Sohns, John R. Thompson, B. F. Shaw and Charles Brown, were confirmed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Forsyth, Guilfoil, Houghton, Kinnear, Kneeland, Long, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Vestal, Watt, Wolfe — 20.

Absent or not voting: Fariss, Hunsaker, Hyde, Jones, Landes, Lawrence, Seaborg, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Whalley, Wilson, Wood, Wooding.

The trustees for the Western Washington Hospital for the Insane, Lyman D. Andrews of King county, W. J. Fife, Pierce county, and Geo. D. Shannon, were confirmed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Forsyth, Guilfoil, Houghton, Kinnear, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Vestal, Watt, Wolfe — 18.

Absent or not voting: Fariss, Hunsaker, Hyde, Jones, Kneeland, Lawrence, Landes, Long, Seaborg, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Whalley, Wilson, Wood, Wooding.

The trustees for the Eastern Washington Hospital for the Insane, D. F. Percival, Wilson Lockhart and Charles McDouall, were confirmed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Forsyth, Guilfoil, Houghton, Kinnear, Lawrence, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Vestal, Watt, Wolfe — 19.

Absent or not voting: Fariss, Hunsaker, Hyde, Jones, Kneeland,

Landes, Long, Seaborg, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Whalley, Wilson, Wood, Wooding.

The Senate then resumed open session.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he had been instructed by the House to inform the Senate that the House has failed to pass Senate bill No. 189, An act to protect innocent purchasers of community property, and declaring an emergency.

House refuses to recede from its amendment to Senate bill No. 146, An act for the relief of bona fide purchasers of school or university lands, and asks for a committee of conference. House appoints Messrs. Shaw, Blackfan and Ostrander on the part of the House.

The House has passed House concurrent resolution No. 34, Providing for the appointment of a committee to notify the governor of final adjournment.

The House has indefinitely postponed Senate bill No. 203, An act making community property subject to the payment of debts incurred during marriage.

Also, Senate bill No. 212, An act relating to forcible entry and detainer.

Has passed House bill No. 285, An act to authorize the common council of cities to issue bonds for the erection of city buildings.

The speaker has signed House bill No. 272, An act for the disposal of the tide lands, which has passed both houses and been correctly enrolled.

The House has passed Senate bill No. 135, An act relative to the library of the State of Washington, with amendments, but failed to pass the emergency clause.

Has passed Senate bill No. 207, Extending the provisions of a bill approved February 1, 1888, to other purposes than the manufacture of grain sacks, and has passed the emergency clause.

COMMITTEE REPORT.

The joint Committee on Apportionment, having had under consideration Senate bill No. 252, respectfully report the same back with amendment in the form of a substitute, and without recommendation.

H. E. HOUGHTON,
Chairman Senate Committee.

Senators Rinehart, Austin and Luce of Senate committee and Repre-

sentatives Grant, Hutchison, Flummerfelt, Evans and Sharp of the House committee concurring, the other members being absent.

MR. PRESIDENT:

Your standing joint Committee on Revenue and Taxation, to whom was referred Senate bill No. 85, An act relating to the duties of the attorney general and providing for his salary and traveling expenses, report the bill back with a substitute and recommend that the substitute pass.

H. W. FAIRWEATHER,
HENRY DRUM,
E. T. WILSON,
S. VESTAL,
J. H. LONG.

Senate bill No. 85 (substitute), relating to the duties of the attorney general and providing for his traveling expenses, was read, and, on motion, the substitute was adopted for the original bill.

The bill was read a third time, and passed by the following vote, after amending section 5 by striking out all matter relative to fees for cases:

Yeas: Baker, Clough, Drum, Fairweather, Forsyth, Guilfoil, Houghton, Hunsaker, Kinnear, Kneeland, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Van Houten, Watt, Wilson, Wolfe, Wooding—23.

Absent or not voting: Austin, Fariss, Hyde, Jones, Landes, Lawrence, Long, Thompson (G. T.), Thompson (L. F.), Vestal, Whalley, Wood.

Senate bill No. 252, reported from the joint committee on apportionment, was taken up.

The substitute bill was adopted, read a third time, and laid on the table.

The president pro tem. announced that he was about to sign House bill No. 272, which was done.

House bill No. 313 was taken up, and the emergency clause passed by the following vote:

Yeas: Austin, Baker, Clough, Fairweather, Forsyth, Guilfoil, Houghton, Hunsaker, Kinnear, Kneeland, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Van Houten, Vestal, Watt, Wilson, Wolfe, Wooding—24.

Absent or not voting: Drum, Fariss, Hyde, Jones, Landes, Lawrence, Long, Thompson (G. T.), Thompson (L. F.), Whalley, Wood.

The president pro tem. appointed the following conference com-

mittee on Senate bill No. 146, Relative to purchasers of school lands: Messrs. Van Houten, Guilfoil and Forsyth.

COMMITTEE REPORT.

MR. PRESIDENT:

The joint committee of the Senate and House of Representatives, appointed to consider the advisability of publishing the debates of the constitutional convention, and the claims of the official stenographers of said convention, beg leave to report that after a careful investigation of the matter, they recommend that said debates be not published, and further, that they find that a contract was made with Messrs. A. C. Bowman and C. B. Eaton, by virtue of which they became official stenographers of the said convention, and as such are entitled to compensation for the services rendered by them. Your committee hereby reports Senate bill No. 260 as a fair settlement of the claims of said official stenographers.

J. M. SNOW,
Senate Committee.
JOHN D. GEOGHEGAN,
JOHN MCREAVY,
House Committee.

Senate bill No. 260 was read third time, considered in committee of the whole, reported to the House and failed of passage by the following vote:

Yeas: Clough, Fairweather, Guilfoil, Houghton, Luce, Parkinson, Seaborg, Snow, Wooding — 9.

Nays: Baker, Drum, Forsyth, Jones, Kinnear, Owings, Payne, Vestal, Wilson, Wolfe — 10.

Absent or not voting: Austin, Fariss, Hunsaker, Hyde, Kneeland, Landes, Lawrence, Long, Preston, Rinehart, Thompson (G. T.), Thompson (L. F.), Van Houten, Watt, Whalley, Wood.

Senator Kinnear, having changed his vote to the negative, gave notice of a motion to reconsider.

Senate bill No. 135, Relative to the library of the State of Washington, with House amendments, was read.

All of the House amendments were concurred in by the following vote:

Yeas: Baker, Clough, Drum, Fairweather, Forsyth, Guilfoil, Houghton, Hunsaker, Kinnear, Kneeland, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Van Houten, Vestal, Watt, Wilson, Wolfe, Wooding — 22.

Absent or not voting: Austin, Fariss, Hyde, Jones, Landes, Lawrence, Long, Luce, Snow, Thompson (G. T.), Thompson (L. F.), Whalley, Wood.

The bill was ordered to be enrolled.

CONFERENCE COMMITTEE REPORT.

MR. PRESIDENT:

Your Committee on Conference on House bill No. 264, after having considered the same with a like committee from the House, beg leave to ask that the Senate recede from its amendment to section 5, line 16, by inserting after the word "shall" the words "at the discretion of the county commissioners."

THOMAS PAYNE.
L. B. CLOUGH.

The report was adopted by the following vote:

Yeas: Baker, Clough, Drum, Fairweather, Forsyth, Guilfoil, Houghton, Hunsaker, Kinnear, Kneeland, Luce, Owings, Parkinson, Payne, Rinehart, Seaborg, Snow, Vestal, Wilson, Wolfe, Wooding—21.

Absent or not voting: Austin, Fariss, Hyde, Jones, Landes, Lawrence, Long, Preston, Thompson (G. T.), Thompson (L. F.), Van Houten, Watt, Whalley, Wood.

On motion of Senator Owings, the Senate, at 5 P. M., adjourned.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 26, 1890.
10 o'clock A. M.

Senate called to order pursuant to adjournment; President pro tem. Parkinson in the chair.

Roll call; all present except Senators Hyde, Landes, Luce, Whalley and Wood, who were excused.

The reading of the journal was, on motion of Senator Kinnear, dispensed with.

COMMITTEE REPORTS.

MR. PRESIDENT:

We the undersigned members of the Committee on Revenue and Taxation, beg leave to report on Senate bill No. 73, An act to define the duties, and provide for assistance for, and fix the compensation of, the secretary of state, and recommend that the printed bill accompanying this report be substituted therefor, and that the same be passed as amended.

E. T. WILSON,
S. VESTAL,
B. C. VAN HOUTEN,
HENRY DRUM,
C. T. WOODING.

MR. PRESIDENT:

Your Committee on Claims, of the Senate, and Ways, Means and Claims, of the House, to whom was referred Senate bill No. 250, have had the same under consideration, and the bill is herewith returned with recommendations that it do pass.

W. V. RINEHART,
Chairman Senate Committee on Claims.

JOHN D. GEOGHEGAN,
Chairman House Committee on Ways, Means and Claims.

MR. PRESIDENT:

Your Committee on Corporations other than Municipal, to whom was referred House bill No. 287, entitled "A bill for an act to create and establish a board of railroad commissioners, and to define and regulate its powers and duties, and to fix the compensation of its members, and declaring an emergency," would respectfully report that they have had the same under consideration. That the bill, if enacted into a law, would, in the opinion of the committee, be in contravention of section 18, article XII of the constitution of this state, rather than in conformity therewith, although the purpose of the framer in drawing it and the House in passing it, undoubtedly was to provide a law to carry out the provisions of that section. The provisions of that section contemplate that the establishment of reasonable maximum rates of charges for transportation of passengers or freight shall be by laws passed by the legislature itself. It also contemplates, that the correction of abuses, the prevention of discrimination and extortion in the rates of freight and passenger tariffs shall also be by laws passed by the legislature itself. On the other hand, section 17 of this bill seems to contemplate that the establishment of reasonable maximum rates for the transportation of passengers and freight shall be by the orders of the commission, created by this bill, made and entered of record as a part of their proceedings authorized by the bill. The bill authorizes them to fix and establish, change and alter at will, to determine and by reasonable notice fix the time for going into effect, that which the constitution authorizes the legislature to establish. What is said here relative to section 17 is true of almost all of the other sections of the bill, and particularly those which undertake to place within the power of the board the absolute determination of what are abuses, and gives to them the power to correct the same.

Nowhere in the bill is any specification, by the legislature itself, of the abuses to be corrected, nor is there provided by this bill any scheme for the correction of abuses which would have the sanction of law as coming from the legislature itself.

While it is true that section 18 of the constitution, before referred to, provides that a railroad transportation commission may be established and its powers and duties fully defined by law, yet the constitution, in authorizing the legislature to establish a commission and define its powers and duties, does not contemplate that the legislature shall provide a commission which shall, in turn, define the powers and duties of railroad companies. Were this bill entitled "A bill to provide for a board of rail-

road commissioners who shall determine and define the powers and duties of railroad corporations," the subject or object of the bill would then be more in keeping with its title, but hardly less in conformity with the provisions of the constitution.

In the judgment of your committee, the power conferred upon the commission by this bill are of such a legislative nature as to make them in contravention, not only of the constitution of this state, but of all fundamental law provided for the organization of associations of people into what constitutes a state. This delegation of power, authority and duty by the legislative representatives of the people to others is, it is true, a delegation to those who may, by subsequent process of election, become representatives of the people; but they are not such representatives of the people as the people themselves have, by the constitution, designated as the legislative department of their government, or any part thereof.

In view of what has been said, it will be readily seen that the framework and entire scheme of the bill is such that its defects cannot be remedied by any amendment which your committee could suggest. There are many other defects, as well as many inconsistencies, in the bill, but, in view of the more pronounced defects affecting its validity, if enacted into a law, your committee do not deem it necessary, at this time, to go into details for the purpose of pointing out the minor defects.

Wherefore your committee would respectfully recommend that the bill be indefinitely postponed.

N. H. OWINGS,
W. J. PARKINSON,
C. G. AUSTIN.

REPORT OF JOINT CONFERENCE COMMITTEE.

MR. PRESIDENT:

Your conference committee, to whom was referred Senate bill No. 146, entitled "An act to confirm title to school and university lands heretofore sold and paid for in good faith," have had the same under consideration, and respectfully recommend that the Senate concur in the House amendments.

B. C. VAN HOUTEN, Chairman,
O. D. GUILFOIL,
C. E. FORSYTH,
Senate Committee.

A. F. SHAW,
C. T. BLACKFAN,
B. R. OSTRANDER,
House Committee.

MR. PRESIDENT:

We, your committee of conference on Senate bill No. 84, beg leave to report that we have had the matter under consideration, and in view of the fact that the interests of the several counties are protected by the books of the state auditor, we hereby recommend that the Senate concur in the House amendment which strikes out section 7.

SAMUEL VESTAL,
Chairman Senate Committee.

E. R. PICKRELL,
Chairman House Committee.

MR. PRESIDENT:

Your Committee on County and County Boundaries, to whom was referred Senate bill No. 249, return the same with the recommendation that it be indefinitely postponed.

O. D. GUILFOIL, Chairman,
L. F. THOMPSON.

The report was adopted.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills beg leave to report that Senate bill No. 5 (substitute), entitled "An act providing for the organization, classification, incorporation and government of municipal corporations," and declaring an emergency; and Senate bill No. 254, entitled "An act authorizing trustees of the State School for Defective Youth, at Vancouver, to insure the building and property of said school," making an appropriation therefor.

Also, Senate bill No. 216, entitled "An act authorizing cities and towns to construct internal improvements and issue bonds to pay therefor, and declaring an emergency."

Also, Senate bill No. 238, entitled "An act to better protect the health of female employes."

Also, Senate bill No. 202, entitled "An act to amend sections 849 and 850 of the Code of Washington, concerning crimes and punishments."

Also, Senate bill No. 143, entitled "An act to provide for the establishment and maintenance of a home for honorably discharged Union soldiers, sailors and marines, and also members of the state militia disabled while in the line of duty, and who are bona fide residents of this state."

Also, Senate bill No. 190, entitled "An act to protect all citizens in their civil and legal rights."

Also, Senate bill No. 188, For the relief of certain notaries public.

Also, Senate concurrent resolution No. 46, Relative to the sale of the supreme court reports by the state auditor, have been carefully compared with the engrossed copies thereof, and found correctly enrolled.

J. M. SNOW, Chairman.

The president pro tem. announced that he was about to sign Senate bills Nos. 5 and 254.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he had been instructed by the House to inform the Senate that the speaker has signed Senate bill No. 78, An act to establish a system of common schools in cities of 10,000 and upwards, and it is herewith returned for transmission to the proper officer.

The speaker has signed House bill No. 283, Providing for dividing counties into commissioner districts.

The House has adopted the report of the conference committee

on House bill No. 264, To provide for the leasing and sale of school lands, and has ordered the same to be enrolled; and has indefinitely postponed the following bills: Senate bill No. 241, Concerning the recovery of the possession of land; Senate bill No. 246, Prescribing the time during which an action may be brought or proceedings had to revive judgments; Senate bill No. 180, Construing and validating deeds of donation land claims, and Senate bill No. 234, Relating to building, loan and saving associations doing a local business in this state.

The House has indefinitely postponed Senate bill No. 240, Providing for the settlement of statements of facts by the judges of the late territorial district courts in certain cases, and declaring an emergency.

The House has indefinitely postponed Senate bill No. 225, An act to amend section 3, 298 of chapter CCLII of the Code of Washington, relating to the exemption of firemen from jury and other duties.

The House has passed Senate bill No. 12, An act to establish a State Normal School.

Also, passed Senate bill No. 262, An act to amend an act allowing school districts to borrow money and issue bonds for building and furnishing school houses, and has also passed the emergency clause.

The speaker has signed Senate bill No. 5, Relative to municipal incorporations, Senate bill No. 202, Concerning crimes and punishments, Senate bill No. 238, To protect the health of females, Senate bill No. 216, Relative to internal improvements, Senate bill No. 143, Soldiers' home, Senate bill No. 254, To insure school buildings at Vancouver, all of which have passed both houses, and been duly enrolled.

On motion of Senator Lawrence, House bill No. 287, and the report thereon, was laid on the table.

The report of the joint conference committee on Senate bill No. 146 was, on motion of Senator Houghton, laid on the table.

On motion of Senator Rinehart, Senate bill No. 252 was made a special order for 2:30 P. M. to-day.

The president pro tem. announced that he was about to sign House bill No. 283.

House bill No. 90 was, on motion of Senator Austin, ordered to be returned to the House.

The conference committee report on Senate bill No. 84, concurring in the House amendment to strike out section 7, was agreed to by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Kinnear, Kneeland, Owings, Parkinson, Preston, Rinehart, Seaborg, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Watt, Wilson, Wolfe, Wooding — 26.

Absent or not voting: Hyde, Landes, Lawrence, Long, Luce, Payne, Snow, Whalley, Wood.

On motion of Senator Kinnear, the vote by which House bill No. 177 was lost was reconsidered, and the bill was laid on the table.

On motion of Senator Wolfe, the Committee on Education was ordered to report House bill No. 170 immediately.

On motion of Senator Houghton, Senate bill No. 252 was taken up and laid on the table.

The president pro tem. appointed Senator Houghton a committee on the part of the Senate to notify the governor of the day of final adjournment.

The president pro tem. announced that he was about to sign Senate bill No. 143, Senate bill No. 216, Senate bill No. 238, Senate bill No. 202, which was done.

Senator Vestal offered the following, which was adopted:

Resolved by the Senate, That the seargeant-at-arms of the Senate be paid twenty-five dollars for making invoice, storing and turning over to the state custodian the state property of the Senate after adjournment.

On motion of Senator Van Houten, House bill No. 297 was taken up, and the emergency clause was passed by the following vote:

Yeas: Austin, Clough, Drum, Fariss, Fairweather, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Kinnear, Kneeland, Landes, Luce, Owings, Parkinson, Preston, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Vestal, Whalley, Wooding — 24.

Nays: Baker, Rinehart, Seaborg, Wilson — 4.

Absent or not voting: Hyde, Lawrence, Long, Payne, Watt, Wolfe, Wood.

On Motion of Senator Owings, House bill No. 287 was taken up and the report of the committee was adopted.

Senator Lawrence in the chair.

Senate bill No. 249 was, on motion, indefinitely postponed.

Senate bill No. 16 was read.

All the House amendments were concurred in by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Forsyth, Guilfoil, Houghton, Hunsaker, Kinnear, Kneeland, Lawrence, Owings, Parkinson, Payne, Rinehart, Seaborg, Thompson (G. T.), Van Houten, Vestal, Wilson, Wolfe, Wooding — 23.

Absent or not voting: Fariss, Hyde, Jones, Landes, Long, Luce, Preston, Snow, Thompson (L. F.), Watt, Whalley, Wood.

House bill No. 331: Rules suspended, read first and second time by title; rules further suspended, read third time, and passed by the following vote:

Yeas: Baker, Drum, Fairweather, Forsyth, Guilfoil, Hunsaker, Jones, Kinnear, Kneeland, Lawrence, Owings, Parkinson, Rinehart, Seaborg, Thompson (L. F.), Van Houten, Vestal, Wilson, Wooding — 19.

Absent or not voting: Austin, Clough, Fariss, Houghton, Hyde, Landes, Long, Luce, Payne, Preston, Snow, Thompson (G. T.), Watt, Whalley, Wolfe, Wood.

On motion of Senator Wilson, Senate bill No. 73 was taken up, amended, and passed by the following vote:

Yeas: Austin, Baker, Clough, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Kinnear, Kneeland, Lawrence, Owings, Parkinson, Payne, Preston, Seaborg, Van Houten, Vestal, Watt, Wilson, Wolfe, Wooding — 23.

Nays: Fairweather, Thompson (G. T.) — 2.

Absent or not voting: Drum, Hyde, Landes, Long, Luce, Rinehart, Snow, Thompson (L. F.), Whalley, Wood.

The emergency clause was passed by the following vote:

Yeas: Austin, Baker, Clough, Fairweather, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Kinnear, Kneeland, Lawrence, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Thompson (G. T.), Van Houten, Vestal, Watt, Wilson, Wolfe, Wooding — 26.

Absent or not voting: Drum, Hyde, Landes, Long, Luce, Snow, Thompson (L. F.), Whalley, Wood.

On motion of Senator Fariss the vote by which Senate bill No. 136 failed to pass was reconsidered, and the bill passed by the following vote:

Yeas: Clough, Fairweather, Fariss, Forsyth, Guilfoil, Houghton,

Hunsaker, Kinnear, Kneeland, Lawrence, Long, Owings, Payne, Preston, Rinehart, Vestal, Watt, Wilson, Wooding — 19.

Nays: Austin, Baker, Jones, Seaborg, Thompson (G. T.), Wolfe — 6.

Absent or not voting: Drum, Hyde, Landes, Luce, Parkinson, Snow, Thompson (L. F.), Van Houten, Whalley, Wood.

On motion of Senator Rinehart, House bill No. 177 was taken up, and the motion by which all the Senate amendments were adopted was reconsidered, and the bill passed as it originally came from the House by the following vote:

Yeas: Baker, Clough, Drum, Fairweather, Guilfoil, Houghton, Hunsaker, Kinnear, Kneeland, Lawrence, Owings, Parkinson, Payne, Preston, Rinehart, Van Houten, Vestal, Wolfe — 18.

Nays: Austin, Jones, Long, Seaborg, Watt, Wooding — 6.

Absent or not voting: Fariss, Forsyth, Hyde, Landes, Luce, Snow, Thompson (G. T.), Thompson (L. F.), Whalley, Wilson, Wood.

On motion of Senator Payne, Senate bill No. 248 was taken up.

Senator Houghton moved to indefinitely postpone. On this the yeas and nays were unanimously called for, and was lost by the following vote:

Yeas: Clough, Forsyth, Houghton, Jones, Kneeland, Owings, Parkinson, Seaborg, Wolfe — 9.

Nays: Baker, Drum, Fairweather, Hunsaker, Kinnear, Lawrence, Long, Payne, Preston, Rinehart, Snow, Thompson (G. T.), Van Houten, Vestal, Wilson, Wooding — 16.

Absent or not voting: Austin, Fariss, Guilfoil, Hyde, Landes, Luce, Thompson (L. F.), Watt, Whalley, Wood.

President pro tem. Parkinson in the chair.

The president pro tem. announced that he was about to sign Senate bill No. 188, Senate bill No. 190 and Senate concurrent resolution No. 46, which was done.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he had been instructed by the House to inform the Senate that the House has passed Senate bill No. 148, An act to establish a normal school for the State of Washington at the town of Chehalis, in Lewis county, and for the government, management and control of the same.

Senate bill No. 248 was then passed by the following vote:

Yeas: Baker, Drum, Fairweather, Forsyth, Hunsaker, Jones, Kinnear, Lawrence, Long, Payne, Preston, Rinehart, Snow, Thompson (G. T.), Van Houten, Vestal, Wilson, Wooding—18.

Nays: Clough, Guilfoil, Houghton, Kneeland, Luce, Parkinson, Seaborg, Wolfe—8.

Absent or not voting: Austin, Fariss, Hyde, Landes, Owings, Thompson (L. F.), Watt, Whalley, Wood.

Senate bill No. 148 was ordered to be enrolled.

On motion of Senator Wilson, the Senate, at 12:20 P. M., took a recess until 2 o'clock P. M.

AFTER RECESS.

The Senate re-assembled at 2 P. M., president pro tem. in the chair.

Roll call; all present except Senators Hyde, Luce, Payne, Whalley and Wood, who were excused.

On motion of Senator Rinehart, the vote by which Senate bill No. 177 (the revenue bill), was reconsidered.

On motion of Senator Rinehart, "three mills" was stricken out of section 78 and "2½ mills" inserted.

The bill was then laid on the table.

REPORT OF JOINT CONFERENCE COMMITTEE.

MR. PRESIDENT:

The joint conference committee, to whom was referred House bill No. 250, A bill for an act to authorize the hauling of timber across railroads, and declaring an emergency, have had the same under consideration, and report it back recommending that the Senate recede from the amendment which adds a new section to the bill, known as section three.

B. A. SEABORG,
Chairman on part of Senate.
GEORGE BOTHELL,
Chairman on part of House.

The report was not adopted by the following vote:

Yeas: Forsyth, Jones, Kinnear, Long, Parkinson, Rinehart, Seaborg, Thompson (L. F.), Vestal—9.

Nays: Austin, Baker, Clough, Drum, Guilfoil, Houghton, Hunsaker, Kneeland, Owings, Thompson (G. T.), Whalley, Wolfe, Wooding—13.

Absent or not voting: Fairweather, Fariss, Hyde, Landes, Lawrence, Luce, Payne, Preston, Snow, Van Houten, Watt, Wilson, Wood.

MR. PRESIDENT:

Your Committee on Education desire to report that they have had under consideration House bill No. 107, An act to assent to the provisions of an act of congress approved July 2, A. D. 1862, and of the acts supplementary thereto, to create a permanent fund, and to assent to the provisions of an act of congress approved March 2, A. D. 1887, and to declare an emergency, and herewith report the same with the recommendation that the bill pass, as it is a companion bill of House bill No. 90, and its passage is required to carry into effect the provisions of said House bill No. 90.

HENRY DRUM,
W. J. PARKINSON,
Committee on Education.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he had been instructed by the House to inform the Senate that the House has passed House bill No. 301, Classifying counties according to population, enumerating number of officers and fixing salaries, etc.

Has adopted report of conference committee on Senate bill No. 84; it is herewith returned.

The House has also passed House bill No. 240, In relation to county attorneys.

The speaker has signed Senate concurrent resolution No. 46, Relative to the sale of supreme court reports by the state auditor.

Also, Senate bill No. 188, For the relief of certain notaries public.

Also, Senate bill No. 190, To protect all citizens in their civil and legal rights.

All of which have been duly enrolled.

The speaker has signed House bill No. 72, Relating to the establishment and government of the University of the State of Washington.

The House has passed Senate bill No. 233, An act to define, declare and establish the rights of telegraph and telephone corporations and companies.

Has passed House bill No. 326, Securing equal rights and privileges to all persons regardless of sex.

House bill No. 107 was passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Kinnear, Kneeland, Long, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Thompson (L. F.), Watt, Wilson, Wolfe, Wooding—25.

Absent or not voting: Fariss, Hyde, Landes, Lawrence, Luce, Payne, Van Houten, Vestal, Whalley, Wood.

The emegency clause was passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Kinnear, Kneeland, Long, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Thompson (L. F.), Watt, Wilson, Wolfe, Wooding — 25.

Absent or not voting: Fariss, Hyde, Landes, Lawrence, Luce, Payne, Van Houten, Vestal, Whalley, Wood.

Senate bill No. 250, the appropriation bill, was taken up, and, on motion of Senator Rinehart, the Senate went into committee of the whole to consider the bill.

Senator Fairweather in the chair.

The committee arose and reported the bill to the Senate with amendments.

The bill was read a third time.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills begs leave to report, that Senate bill No. 83 (substitute), entitled "An act relating to the duties of state auditor, and providing for his salary and assistance," has been carefully compared with the engrossed copy thereof, and found correctly enrolled.

J. M. SNOW, Chairman.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills begs leave to report, that Senate bill No. 202, entitled "An act to amend sections 849 and 850 of the Code of Washington, concerning crimes and punishments."

Also, Senate bill No. 254, entitled "An act authorizing the trustees of the State School for Defective Youth, at Vancouver, to insure the buildings and property of said school, and making an appropriation therefor."

Also, Senate bill No. 216, entitled "An act authorizing cities and towns to construct internal improvements and issue bonds to pay therefor, and declaring an emergency."

Also, Senate bill No. 143, entitled "An act to provide for the establishment and maintenance of a home for honorably discharged Union soldiers, sailors and marines, and also members of the state militia disabled while in the line of duty and who are bona fide residents of this state."

Also, Senate bill No. 238, entitled "An act to better protect the health of female employes."

Also, Senate bill No. 78, entitled "An act to establish a system of common schools in cities of ten thousand or more inhabitants, and to provide for properly maintaining, governing and grading the same."

Also, Senate bill No. 5, substitute, entitled "An act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency," have on this 26th day of March, 1890, been forwarded to his excellency the governor for his approval.

J. M. SNOW, Chairman.

Senate bill No. 233 was ordered to be enrolled.

A free conference committee was asked for on House bill No. 250, and Senators Rinehart, Preston and Wolfe were appointed on behalf of the Senate.

Senate bill No. 250 was again considered in committee of the whole, Senators Rinehart and Kinnear in the chair.

The committee arose and reported the bill to the Senate with amendments.

All of the amendments were adopted.

President pro tem. Parkinson in the chair.

The president announced that he was about to sign Senate bill No. 83 and Senate bill No. 148, which was done.

COMMITTEE REPORT.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills begs leave to report that Senate bill No. 148, substitute, entitled "An act to establish a normal school for the State of Washington at the town of Chehalis, in Lewis county, and for the government, management and control of the same," has been carefully compared with the engrossed copy thereof, and found correctly enrolled.

J. M. SNOW, Chairman.

Senate bill No. 250 was passed by the following vote:

Yeas: Austin, Baker, Clough, Fairweather, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Kinnear, Long, Owings, Parkinson, Preston, Rinehart, Seaborg, Van Houten, Watt, Whalley, Wilson, Wooding — 22.

Absent or not voting: Drum, Fariss, Hyde, Kneeland, Landes, Lawrence, Luce, Payne, Snow, Thompson (G. T.), Thompson (L. F.), Vestal, Wolfe, Wood.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills begs leave to report, that Senate bill No. 222 (substitute), entitled "An act to establish a general uniform system of common schools in the State of Washington, and declaring an emergency," has been carefully compared with the engrossed copy thereof, and found correctly enrolled.

J. M. SNOW, Chairman.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills begs leave to report, that Senate bill No. 188, entitled "An act for the relief of certain notaries public."

Also, Senate bill No. 190, entitled "An act to protect all citizens in their civil and legal rights," have, on this 26th day of March, 1890, been forwarded to his excellency the governor for his approval.

J. M. SNOW, Chairman.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills begs leave to report, that Senate concurrent resolution No. 46 has, on this 26th day of March, 1890, been forwarded to the secretary of state.

J. M. SNOW, Chairman.

House concurrent resolution No. 34, For the appointment of a committee to notify the governor of the day of final adjournment, was taken up and adopted.

House bill No. 177, was taken up, and on motion of Senator Drum all action taken on the bill after the passage of the bill by 18 yeas and 6 nays, this morning, was stricken from the journal, and the bill was sent to the House.

Senator Lawrence in the chair.

COMMITTEE REPORT.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills begs leave to report, that Senate bill No. 4, entitled "An act to regulate primary elections of voluntary political associations and to punish frauds therein, and declaring an emergency," has been carefully compared with the engrossed copy thereof, and found correctly enrolled. J. M. SNOW, Chairman.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he had been instructed by the House to inform the Senate that the speaker has signed House bill No. 274, Relating to summary proceedings for obtaining possession of real property in certain cases, and declaring an emergency.

The House has refused to adopt the report of the conference committee on Senate bill No. 28, In relation to court commissioners. The House asks for a committee of free conference.

The House has appointed as a free conference committee, Messrs. Evans, Hutchinson, Geoghegan, Tucker and Randall.

The House has passed Senate bill No. 161, For the relief of Frank J. Parker, for services as trustee of the School for Defective Youth.

Also, House bill No. 316, Empowering all private corporations chartered by special acts of the Legislative Assembly of the Territory of Washington, to acquire, hold, possess and dispose of property in excess of the amount limited by such acts, with the emergency clause.

The president pro tem. announced that he was about to sign Senate bill No. 222, which was done.

Senate bill No. 252, On apportionment, was taken up, amended on motion of Senator Wilson in section 5, and passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Kinnear, Kneeland, Lawrence, Long, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Van Houten, Vestal, Watt, Wilson, Wolfe, Wooding—28.

Absent or not voting: Hyde, Landes, Luce, Payne, Thompson (L. F.), Whalley, Wood.

Senate bill No. 140, Relative to county tract index, was taken up and failed of passage by the following vote:

Yeas: Baker, Clough, Fairweather, Houghton, Hunsaker, Jones, Kneeland, Lawrence, Owings, Parkinson, Seaborg, Snow, Van Houten, Vestal, Wolfe, Wooding—16.

Nays: Forsyth, Guilfoil, Kinnear, Rinehart, Thompson (G. T.) —5.

Absent or not voting: Austin, Drum, Fariss, Hyde, Landes, Long, Luce, Payne, Preston, Thompson (L. F.), Watt, Whalley, Wilson, Wood.

Senator Kinnear gave notice of a motion to reconsider the vote by which the bill failed.

The president announced that he was about to sign House bill No. 274 and Senate bill No. 4, which was done.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he had been instructed by the House to inform the Senate that the House has passed House bill No. 294, An act relating to foreign corporations, and repealing certain laws in conflict therewith.

The House has appointed as members of the joint committee to notify the governor of the date of final adjournment, Messrs. Kuhn and Geoghegan.

House bill No. 332, Relative to commissioners of deeds, was taken up.

Rules suspended, read first and second time by title; rules further suspended, read third time, and passed by the following vote:

Yeas: Austin, Clough, Drum, Fairweather, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Kinnear, Kneeland, Owings, Parkinson, Rinehart, Seaborg, Snow, Thompson (G. T.), Vestal, Wilson, Wolfe, Wooding—22.

Absent or not voting: Baker, Hyde, Landes, Lawrence, Long, Luce, Payne, Preston, Thompson (L. F.), Van Houten, Watt, Whalley, Wood.

The emergency clause was passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Kinnear, Kneeland, Owings, Parkinson, Payne, Rinehart, Seaborg, Snow, Thompson (G. T.), Vestal, Wilson, Wolfe, Wooding—24.

Absent or not voting: Hyde, Landes, Lawrence, Long, Luce, Preston, Thompson (L. F.), Van Houten, Watt, Whalley, Wood.

On motion of Senator Owings, the Senate took a recess until 7:30 P. M.

EVENING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 27, 1890.
7:30 o'clock P. M.

The Senate re-assembled at 7:30 P. M.; a quorum present.

President pro tem. Parkinson in the chair.

House bill No. 295, Relating to foreign corporations, and to repeal certain laws in conflict therewith, was taken up and passed by the following vote:

Yeas: Austin, Clough, Drum, Fairweather, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Kinnear, Long, Parkinson, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Van Houten, Vestal, Wilson, Wolfe, Wooding—23.

Absent or not voting: Baker, Hyde, Kneeland, Landes, Lawrence, Luce, Owings, Payne, Thompson (L. F.), Watt, Whalley, Wood.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he had been instructed by the House to inform the Senate that the speaker has signed Senate bill No. 83, An act in relation to the duties of state auditor.

Also, Senate bill No. 222, Establishing a system of common schools, which has passed both houses and been signed by the president.

The House has passed House bill No. 323, For the relief of Ellen S. Stevenson.

The House requests the return of Senate bill No. 148, Establishing a normal school at Chehalis, passed by the House to-day, the action of the House having been reconsidered passing said bill, and the same being now on third reading.

Senate bill No. 207 was taken up, and the House amendment concurred in by the following vote:

Yeas: Austin, Clough, Drum, Fairweather, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Kinnear, Long, Owings, Parkinson, Preston, Seaborg, Snow, Thompson (G. T.), Van Houten, Vestal, Watt, Wilson, Wolfe, Wooding — 24.

Absent or not voting: Baker, Hyde, Kneeland, Landes, Lawrence, Luce, Payne, Rinehart, Thompson (L. F.), Whalley, Wood.

The bill was ordered to be enrolled.

On motion of Senator Drum, the vote by which Senate bill No. 250 was passed was reconsidered.

The Senate went into committee of the whole to consider the bill, after which the committee arose and reported the bill to the Senate with an amendment appropriating $6,186.79 for the military deficiency.

The amendment was adopted, and the bill again passed by the following vote:

Yeas: Austin, Clough, Drum, Fairweather, Forsyth, Houghton, Hunsaker, Jones, Kinnear, Lawrence, Long, Owings, Preston, Rinehart, Seaborg, Snow, Vestal, Watt, Wilson, Wolfe, Wooding — 21.

Absent or not voting: Baker, Fariss, Guilfoil, Hyde, Kneeland, Landes, Luce, Parkinson, Payne, Thompson (G. T.), Thompson (L. F.), Van Houten, Whalley, Wood.

Senate bill No. 146, Relative to bona fide purchasers of school

land, was taken up, and the report of the committee was adopted, the Senate receding from its non-concurrence in the House amendments by the following vote:

Yeas: Austin, Baker, Drum, Fairweather, Guilfoil, Houghton, Hunsaker, Jones, Kinnear, Lawrence, Owings, Preston, Rinehart, Seaborg, Snow, Van Houten, Vestal, Watt, Wilson, Wolfe, Wooding—21.

Absent or not voting: Clough, Fariss, Forsyth, Hyde, Kneeland, Long, Landes, Luce, Parkinson, Payne, Thompson (G. T.), Thompson (L. F.), Whalley, Wood.

Senate concurrent resolution No. 51 was offered by Senator Wilson, to authorize the secretary of state to procure the publication of the Senate and House journals.

Read and adopted.

House bill No. 326, To secure equal rights to women: rules suspended, read first and second time by title; rules further suspended, read third time and passed by the following vote:

Yeas: Baker, Clough, Drum, Fairweather, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Kinnear, Lawrence, Owings, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Van Houten, Vestal, Watt, Wilson, Wolfe, Wooding—23.

Absent or not voting: Austin, Fariss, Hyde, Kneeland, Landes, Long, Luce, Parkinson, Payne, Thompson (L. F.), Whalley, Wood.

Senate concurrent resolution No. 49 was taken up, relative to revenue, road and school laws.

The words "election laws" were substituted for "school laws," and the resolution passed.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he had been instructed by the House to inform the Senate that the House has indefinitely postponed Senate bill No. 134, An act to create a board of vital statistics in the State of Washington.

Has passed Senate bill No. 263, A bill for an act granting railroad companies the right of way, with amendments.

The House has passed, with amendments, Senate bill No. 218, An act to create a board of harbor line commissioners, prescribing their duties and compensation.

The House has passed Senate concurrent resolution No. 51, Relative to authorizing the secretary of state to procure the publication of the Senate and House journals.

Also, passed Senate bill No. 217, An act to establish public ways for water crafts across tide flats.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills begs leave to report that Senate bill No. 36, entitled "An act to provide for and to regulate the registration of voters in cities and towns, and in precincts having a voting population of 250 or more."

Also, Senate bill No. 135, substitute, entitled "An act relating to the state library," and Senate bill No. 16, entitled "An act in relation to the organization, powers and duties of superior courts, and declaring an emergency," have been carefully compared with the engrossed copies thereof and found correctly enrolled. J. M. SNOW, Chairman.

House bill No. 157, Providing for the establishment of a state reform school, was taken up and passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Kinnear, Lawrence, Long, Owings, Preston, Rinehart, Seaborg, Thompson (G. T.), Van Houten, Vestal, Watt, Wilson, Wolfe, Wooding — 24.

Absent or not voting: Fariss, Hyde, Kneeland, Landes, Luce, Parkinson, Payne, Snow, Thompson (L. F.), Whalley, Wood.

The emergency clause was then passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Kinnear, Lawrence, Long, Owings, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Van Houten, Vestal, Watt, Wilson, Wolfe, Wooding — 25.

Absent or not voting: Fariss, Hyde, Kneeland, Landes, Luce, Parkinson, Payne, Thompson (L. F.), Whalley, Wood.

Senate bill No. 263, Relative to right-of-way of railroad companies, was taken up and the House amendments concurred in by the following vote:

Yeas: Baker, Clough, Drum, Fairweather, Forsyth, Houghton, Hunsaker, Jones, Kinnear, Lawrence, Long, Owings, Rinehart, Seaborg, Snow, Thompson (G. T.), Van Houten, Vestal, Watt, Wilson, Wolfe, Wooding — 22.

Absent or not voting: Austin, Fariss, Guilfoil, Hyde, Kneeland, Landes, Luce, Parkinson, Payne, Preston, Thompson (L. F.), Whalley, Wood.

House bill No. 300, Trial by jury before justices of the peace.

Rules suspended, read first and second time by title; rules further suspended, read third time and laid on the table.

Senate bill No. 218, The harbor line bill, was, on motion of Senator Baker, taken up.

On the motion to concur in all of the amendments of the House except the appropriation clause, the vote resulted as follows:

Yeas: Austin, Baker, Clough, Drum, Guilfoil, Jones, Kinnear, Long, Seaborg, Snow, Wilson, Wooding — 12.

Nays: Fairweather, Forsyth, Lawrence, Owings, Rinehart, Thompson (G. T.), Vestal, Watt — 8.

Absent or not voting: Fariss, Houghton, Hunsaker, Hyde, Kneeland, Landes, Luce, Parkinson, Payne, Preston, Thompson, (L. F.), Van Houten, Whalley, Wolfe, Wood.

Senator Owings, who had changed his vote to the negative, gave notice of a motion to reconsider.

Senate bill No. 12, Normal School at Ellensburgh, was read, the amendment concurred in, and ordered to be enrolled.

Senate bill No. 223, Relative to railroad corporations bridging navigable streams, was ordered to be enrolled.

Senate bill No. 161, For the relief of F. J. Parker, ordered to be enrolled.

Senate bill, No. 133, Railroad corporations to construct branches, was ordered to be enrolled.

Senate bill No. 220, Act relating to costs in supreme court, ordered to be enrolled.

Senate bill No. 262, Allowing school districts to borrow money, ordered to be enrolled.

Senate bill No. 84, Duties of state treasurer, ordered to be enrolled.

Senate bill No. 217, Public waterways, was ordered to be enrolled.

Senate concurrent resolution No. 51, Publication of Senate and House Journals, ordered to be enrolled.

The Senate, at 9:10 P. M., on motion of Senator Lawrence, adjourned.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 27, 1890.
10 o'clock A. M.

Senate called to order pursuant to adjournment; president pro tem. in the chair.

Roll call; all present except Senators Hyde, Kneeland, Luce, Thompson (L. F.), Van Houten and Whalley, who were excused.

On motion of Senator Snow, the reading of the journal was dispensed with.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared, and announced that he had been instructed by the House to inform the Senate that the speaker has signed Senate bill No. 4, To regulate primary elections of voluntary political associations, to punish frauds therein, and declaring an emergency.

The speaker has signed House bill No. 273, To provide for the organization and discipline of the militia in the State of Washington, which has passed both houses and been correctly enrolled.

The House has ordered that enrolled Senate bill No. 148, Establishing a normal school at Chehalis, be returned to the Senate without the signature of the speaker, the bill not having passed the House.

The speaker has signed House bill No. 331, To amend section 1 of an act to provide a single and uniform method of removing causes from the superior courts to the supreme court, and to regulate the practice in the supreme court in such causes.

Also, House bill No. 259, To regulate and license insurance business in this state.

The president pro tem. announced that he was about to sign Senate bills Nos. 36, 16 and 135, which was done.

COMMITTEE REPORT.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills begs leave to report, that Senate bill No. 223 (substitute), entitled "An act granting to railroad corporations the right to bridge the navigable streams of this state, and declaring an emergency to exist."

Also, Senate bill No. 220, entitled "An act relating to costs in the superior courts."

Also, Senate bill No. 207, entitled "An act authorizing the money appropriated by the Legislature of the Territory of Washington for the manufacture of grain sacks, approved February 1, 1888, to be used for other purposes, and declaring an emergency," have been carefully compared with the engrossed copies thereof, and found correctly enrolled.

J. M. SNOW, Chairman.

The president announced that he was about to sign Senate bill No. 223, Senate bill No. 220 and Senate bill No. 207, which was done.

House bill No. 316, Private corporations to acquire, hold and dispose of property, etc.

Rules suspended, read first and second time by title, and passed by the following vote:

Yeas: Austin, Clough, Drum, Forsyth, Hunsaker, Kinnear, Lawrence, Long, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Vestal, Watt, Wilson, Wooding — 18.

Absent or not voting: Baker, Fairweather, Fariss, Guilfoil, Houghton, Hyde, Jones, Kneeland, Landes, Luce, Payne, Thompson (G. T.), Thompson (L. F.), Van Houten, Whalley, Wolfe, Wood.

The bill was then laid on the table.

Senator Owings offered the following, which was adopted:

Resolved by the Senate, That the sergeant-at-arms be directed to deliver to each senator his bill files, and receipts for the same.

The president pro tem. announced that he was about to sign House bill No. 273, House bill No. 331 and House bill No. 259, which was done.

House bill No. 240, Election of county attorneys, failed of passage by the following vote:

Yeas: Lawrence, Long, Parkinson, Van Houten, Wood — 5.

Nays: Austin, Clough, Drum, Forsyth, Guilfoil, Hunsaker, Jones, Kinnear, Owings, Seaborg, Watt, Wilson, Wooding — 13.

Absent or not voting: Baker, Fairweather, Fariss, Houghton, Hyde, Kneeland, Landes, Luce, Payne, Preston, Rinehart, Snow, Thompson (G. T.), Thompson (L. F.), Vestal, Whalley, Wolfe.

House bill No. 323, For the relief of Ellen Stevenson:

Rules suspended, read first and second time by title and considered in committee of the whole.

The bill was reported to the Senate from the committee without

amendment and read a third time, and passed by the following vote:

Yeas: Austin, Clough, Drum, Forsyth, Guilfoil, Hunsaker, Jones, Kinnear, Lawrence, Long, Owings, Parkinson, Seaborg, Snow, Vestal, Wilson, Wood, Wooding — 18.

Absent or not voting: Baker, Fairweather, Fariss, Houghton, Hyde, Kneeland, Landes, Luce, Payne, Preston, Rinehart, Thompson (G. T.), Thompson (L. F.), Van Houten, Watt, Whalley, Wolfe.

House bill No. 285 was laid on the table.

COMMITTEE REPORT.

MR. PRESIDENT:

Your free conference committee on House bill No. 250 have carefully considered the same, and would respectfully recommend that section 3 be stricken from the bill, and that the same do pass.

W. V. RINEHART,
Chairman Senate Conference Committee.

B. D. MINKLER,
Chairman House Conference Committee.

The report was not adopted.

The report of the free conference committee on House bill No. 250 failed of passage by the following vote:

Yeas: Forsyth, Jones, Kinnear, Landes, Lawrence, Long, Parkinson, Payne, Preston, Rinehart, Seaborg, Thompson (G. T.), Vestal, Wilson, Wolfe, Wood — 16.

Nays: Austin, Clough, Drum, Guilfoil, Houghton, Hunsaker, Owings, Wooding — 8.

Absent or not voting: Baker, Fairweather, Fariss, Hyde, Kneeland, Luce, Snow, Thompson (L. F.), Van Houten, Watt, Whalley.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared, and announced that he had been instructed by the House to inform the Senate that the House has passed with amendments Senate bill No. 73, Relating to the duties of the secretary of state; also passed the emergency clause.

The House has passed with amendments, Senate bill No. 192, Authorizing cities and incorporated towns to erect and maintain draw-bridges across navigable streams; also passed the emergency clause.

Passed Senate concurrent resolution No. 49, Relative to printing the revenue, road and election laws.

Has indefinitely postponed Senate bill No. 136, An act providing for the organization of banking associations.

Passed Senate bill No. 193, Providing for bridges across navigable streams.

The speaker has signed Senate bill No. 36, To provide for and to regulate the registration of voters in cities and towns, and in precincts having a voting population of 250 or more; Senate bill No. 16, In relation to the organization, powers and duties of the superior courts, and declaring an emergency; Senate bill No. 135, Relating to the state library, all of which have passed both houses and been duly enrolled.

The speaker has signed Senate bill No. 223, Granting to railroad corporations the right to bridge the navigable streams; also, Senate bill No. 320, Costs in the superior courts; also, Senate bill No. 207, Relative to manufacturing at Walla Walla penitentiary, which have passed both houses and been duly enrolled.

MESSAGES FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, March 26th, 1890.

To the President of the Senate:

I have this day signed and approved:

Senate bill No. 78, entitled "An act to establish a system of common schools in cities of ten thousand or more inhabitants, and to provide for properly maintaining, governing and grading the same."

Senate bill No. 143, entitled "An act to provide for the establishment and maintenance of a home for honorably discharged Union soldiers, sailors, marines, and also members of the state militia disabled while in the line of duty, and who are bona fide citizens of the state."

Senate bill No. 202, entitled "An act to amend sections 849 and 850 of the Code of Washington, concerning crimes and punishments."

Senate bill No. 216, entitled "An act authorizing cities and towns to construct internal improvements, and to issue bonds to pay therefor, and declaring an emergency."

Senate bill No. 238, entitled "An act to better protect the health of female employes."

Senate bill No. 254, entitled "An act authorizing the trustees of the State School for Defective Youth, at Vancouver, to insure the buildings and property of said school, and making an appropriation therefor."

ELISHA P. FERRY.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, March 27th, 1890.

To the President of the Senate:

I have this day approved and signed:

Senate bill No. 188, entitled "An act for the relief of certain notaries public."

Senate bill No. 190, entitled "An act to protect all citizens in their civil and legal rights."

ELISHA P. FERRY.

House bill No. 301, Classifying counties according to population:

Rules suspended, read first and second time by title; read third time.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he was instructed by the House to inform the Senate that the House has passed House concurrent resolution No. 45, Relative to memorializing congress to transfer the weather bureau to the department of agriculture.

The House has passed House bill No. 225, Providing for the sale of oyster lands, passed with amendments.

Senate bill No. 205, Protecting the title of the owners of floating logs, timber and lumber. Also, passed the emergency clause.

THE NORMAL SCHOOL AT CHEHALIS.

Senator Long offered the following resolution:

WHEREAS, Senate bill No. 148, To establish a Normal School at Chehalis, in Lewis county, passed the Senate on the 27th day of February, 1890, was sent to the House, and the Senate was notified of the passage of the bill by the House on the 26th inst., at which time said bill was returned to the Senate; and

WHEREAS, The said bill was duly enrolled by the Senate, signed by the president pro tem., and said enrolled bill sent to the House for the signature of the speaker of the House; and

WHEREAS, The Senate has been notified that the House had reconsidered the bill after the said bill had been returned to the Senate and enrolled, signed by the president and returned to the House for the signature of the speaker, by a message from the House, asking the return of said bill; therefore, be it

Resolved, That in the opinion of the Senate the House transmitting the said Senate bill No. 148 to the Senate before the expiration of the time prescribed under the rules for reconsideration, after having fully considered and passed the same, divested itself of all jurisdiction of said bill, and thereby waived its right to reconsideration.

Resolved, That in the opinion of the Senate, the said bill having been

fully considered and passed by both houses and duly enrolled by the Senate, signed by the president thereof and transmitted to the speaker of the House for his signature before the receipt of the notice of reconsideration by the House, is now outside the jurisdiction of the Senate to return the same to the House for amendment.

Resolved, That the Senate respectfully requests that the House take such action upon this bill as has been its course during this session and in accordance with the usual parliamentary process of the legislature of this state.

The resolution was passed by the following vote:

Yeas: Austin, Drum, Guilfoil, Hunsaker, Jones, Kinnear, Landes, Lawrence, Owings, Parkinson, Payne, Seaborg, Snow, Thompson (G. T.), Vestal, Watt, Wilson, Wood, Wooding – 19.

Nays: Clough, Forsyth, Houghton, Rinehart, Wolfe – 5.

Absent or not voting: Baker, Fairweather, Fariss, Hyde, Kneeland, Long, Luce, Preston, Thompson (L. F.), Van Houten, Whalley.

Senator Houghton reported that the joint committee to wait on the governor had performed that duty, and notified him that the two houses would adjourn at 12 o'clock, noon, to-morrow.

On motion of Senator Hunsaker, the Senate took a recess, at 12 M., until 2 o'clock.

AFTER RECESS.

The Senate re-assembled at 2 o'clock, President pro tem. Parkinson in the chair.

Quorum present.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills beg leave to report that Senate bill No. 84, entitled "An act relating to the duties of state treasurer, fixing his salary, and providing punishment for violations of this act, and declaring an emergency."

Also, Senate bill No. 161, entitled "An act for the relief of Frank J. Parker, for services as trustee of the School for Defective Youth."

Also, Senate bill No. 12, entitled "An act to establish a State Normal School."

Also, Senate bill No. 217, entitled "An act to establish and define public ways for water crafts across the tide flats within front of and for a mile either way from all incorporated cities and towns in the State of Washington," have been carefully compared with the engrossed copies thereof, and found correctly enrolled. J. M. SNOW, Chairman.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills beg leave to report that Senate bill No. 223 (substitute), entitled "An act granting to railroad corporations the right to bridge the navigable streams of this state."

Senate bill No. 207, entitled "An act authorizing the money appropriated by the legislature of the Territory of Washington for the manufacture of grain sacks, approved February 1st, 1888, to be used for other purposes, and declaring an emergency."

Senate bill No. 220, entitled "An act relating to costs in the superior courts."

Senate bill No. 16, entitled "An act in relation to the organization, powers and duties of the superior courts, and declaring an emergency."

Senate bill No. 135, substitute, entitled "An act relating to the state library."

Senate bill No. 4, entitled "An act to regulate primary elections of voluntary political associations and to punish frauds therein, and declaring an emergency."

Senate bill No. 36, entitled "An act to provide for and to regulate the registration of voters in cities and towns, and in precincts having a population of two hundred and fifty or more, have, on this 27th day of March, 1890, been forwarded to his excellency the governor for his approval.

J. M. SNOW, Chairman.

MESSAGE FROM THE HOUSE.

The chief clerk of the house appeared and announced that he had been instructed by the House to inform the Senate that the House has passed Senate bill No. 236, An act to provide for the purchase of 600 copies of Barton's Hand-Book and Manual of the State of Washington.

The president pro tem. announced that he was about to sign Senate bills Nos. 161, 12, 84, 217 and 236, which was done.

House concurrent resolution No. 35 was taken up and passed by the following vote:

Yeas: Austin, Clough, Drum, Fariss, Forsyth, Guilfoil, Houghton, Jones, Kinnear, Landes, Lawrence, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Thompson (G. T.), Vestal, Watt, Wolfe, Wood—22.

Nays: Wilson—1.

Absent or not voting: Baker, Fairweather, Hunsaker, Hyde, Kneeland, Long, Luce, Snow, Thompson (L. F.), Van Houten, Whalley, Wooding.

Senate concurrent resolution No. 32, Asking authority to introduce a bill, was read and adopted by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fariss, Forsyth, Hough-

ton, Hunsaker, Jones, Kinnear, Landes, Lawrence, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Thompson (G. T.), Vestal, Watt, Whalley, Wolfe, Wood — 24.

Absent or not voting: Fairweather, Guilfoil, Hyde, Kneeland, Long, Luce, Snow, Thompson (L. F.), Van Houten, Wilson, Wooding.

House bill No. 301 was passed by the following vote:

Yeas: Baker, Clough, Drum, Fariss, Guilfoil, Hunsaker, Jones, Kinnear, Landes, Long, Owings, Parkinson, Preston, Rinehart, Watt, Whalley, Wilson, Wolfe, Wood — 19.

Nays: Fairweather, Forsyth, Kneeland, Lawrence, Luce, Payne, Seaborg, Thompson (G. T.), Wooding — 9.

Absent or not voting: Austin, Houghton, Hyde, Snow, Thompson (L. F.), Van Houten, Vestal.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he was instructed by the House to inform the Senate that the House has indefinitely postponed Senate bill No. 252, Relative to the apportionment of the state.

The House has concurred in Senate concurrent resolution No. 52, Relative to the introduction of Senate bill No. 264, Providing for the printing, distribution and sale of the Session Laws of 1889 and 1890.

Senate concurrent resolution No. 25, To effect an amendment to the constitution, was taken up and passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Kinnear, Kneeland, Landes, Lawrence, Long, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Thompson (G. T.), Watt, Whalley, Wilson, Wolfe, Wood, Wooding — 29.

Nays: Luce, Snow, Vestal — 3.

Absent or not voting: Hyde, Thompson (L. F.), Van Houten.

Senate bill No. 218 was taken up with House amendments, which were read and concurred in by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Guilfoil, Jones, Kinnear, Landes, Lawrence, Long, Luce, Owings, Parkinson, Seaborg, Thompson (G. T.), Whalley, Wilson, Wood, Wooding — 20.

Nays: Forsyth, Houghton, Hunsaker, Kneeland, Payne, Preston, Rinehart, Snow, Vestal, Watt—10.

Absent or not voting: Fariss, Hyde, Thompson (L. F.), Van Houten, Wolfe.

Senate bill No. 264 was offered by Senator Owings, by the passage of Senate concurrent resolution No. 52, For the purpose of enabling the state auditor to sell the session laws.

Yeas: Baker, Clough, Drum, Fairweather, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Kinnear, Kneeland, Lawrence, Long, Luce, Owings, Parkinson, Payne, Rinehart, Seaborg, Snow, Thompson (G. T.), Vestal, Watt, Wilson, Wood, Wooding—26.

Absent or not voting: Austin, Fariss, Hyde, Landes, Preston, Thompson (L. F.), Van Houten, Whalley, Wolfe.

The emergency clause was passed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Kinnear, Kneeland, Lawrence, Long, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Thompson (G. T.), Vestal, Watt, Wilson, Wood, Wooding—26.

Absent or not voting: Fairweather, Fariss, Hyde, Landes, Snow, Thompson (L. F.), Van Houten, Whalley, Wolfe.

At 3:30 P. M., the Senate, on motion of Senator Houghton, took a recess until 4 o'clock P. M.

AFTER RECESS.

At 4 P. M., the Senate re-assembled; President pro tem. Parkinson in the chair.

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, March 27th, 1890.

To the Honorable the Senate of the State of Washington:

I have made the following appointments, and ask that the Senate advise and consent thereto:

State librarian: Philip D. Moore, Thurston county.

Trustees for the Western Washington Hospital for the Insane: David T. Denny, King county, in place of Lyman D. Andrews, declined.

Regents of the State University: John Leary and Thomas Burke, of King county; J. W. Sprague and John P. Judson, of Pierce county; J. J. Browne, Spokane county; Thomas H. Brents, Walla Walla county, and John F. Gowey, Thurston county.

State board of education: E. S. Ingraham, King county; O. A. Noble, Whitman county; W. B. Turner, Spokane county, and L. H. Leach, Clarke county.

Trustees for Washington Soldiers' Home: M. M. Holmes, King county; W. R. Dunbar, Klickitat county; George H. Boardman, Pierce county; John F. McLean, Walla Walla county, and A. S. Cole, Whatcom county.

ELISHA P. FERRY.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he had been instructed by the House to inform you that the speaker has signed Senate bill No. 161, for the relief of Frank J. Parker.

Senate bill No. 236, For the purchase of Barton's Hand-Book.

Senate bill No. 84, Relative to duties of state measures.

Senate bill No. 217, To create and define public water ways. All of which have passed both houses and been duly enrolled.

The speaker has signed Senate bill No. 12, Establishing a Normal school at Ellensburgh.

The speaker has signed House bill No. 332, Amending an act entitled "An act to authorize the appointment of commissioners of deeds."

House bill No. 326, To secure equal rights and privileges irrespective of sex.

House bill No. 313, An act to provide for the restoration of court records lost by fire.

The House has passed House bill No. 325, An act relating to the construction of a ship canal connecting Port Townsend Bay with Oak Bay.

Has passed Senate bill No. 264, To provide for the printing, distribution and sale of the session laws of 1889 and 1890, and declaring an emergency.

The House has passed Senate bill No. 179, An act limiting the time within which an action may be brought for the recovery of real estate sold by executors, administrators or guardians.

The speaker has signed House bill No. 107, To assent to the provisions of an act of congress to create a permanent fund.

Also, House bill No. 297, To regulate the practice of medicine, surgery, etc.

Also, House bill No. 323, For the relief of Ellen S. Stevenson.

REPORT OF COMMITTEE.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills beg leave to report that Senate bill No. 263 (substitute), entitled "An act granting a right of way to railroad companies over lands belonging to the State of Washington,"

and Senate concurrent resolution No. 49, Relative to printing the revenue, road and election laws.

Also, Senate bill No. 262, entitled "An act to amend section 1 of an act entitled 'An act allowing school districts to borrow money and issue bonds for the building and furnishing of school houses, to permit the funding of school district bonds heretofore or hereafter to be issued, legalizing the same and declaring an emergency,'" have been carefully compared with the engrossed copy thereof and found correctly enrolled.

J. M. Snow, Chairman.

Senate bill No. 205, with House amendments, was read.

The amendments were concurred in by the following vote:

Yeas: Austin, Baker, Clough, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Kinnear, Kneeland, Landes, Lawrence, Long, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Vestal, Whalley, Wolfe, Wood, Wooding—26.

Absent or not voting: Drum, Fairweather, Fariss, Hyde, Payne, Thompson (L. F.), Van Houten, Watt, Wilson.

The bill was ordered to be enrolled.

The president pro tem. announced that he was about to sign House bill No. 313, House bill No. 326, House bill No. 332, Senate bill No. 263, Senate concurrent resolution No. 49, Senate bill No. 262, House bill No. 107, House bill No. 297 and House bill No. 323, which was done.

The Senate then went into executive session with open doors, and the appointments of the governor were read.

On motion of Senator Wood, a vote was taken on all of the appointments to which no objection was made. No objections were made to any of the names except that of W. B. Turner of Spokane county, as a member of the board of education.

The vote confirming all others was as follows:

Yeas: Baker, Clough, Drum, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Kinnear, Kneeland, Landes, Lawrence, Long, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding—29.

Absent or not voting: Austin, Fairweather, Hyde, Payne, Thompson (L. F.), Van Houten.

The vote upon the nomination of W. B. Turner was as follows:

Yeas: Baker, Drum, Forsyth, Houghton, Jones, Kinnear, Landes, Payne, Thompson (G. T.), Wood 10.

Nays: Clough, Hunsaker, Kneeland, Lawrence, Long, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Vestal, Watt, Whalley, Wilson, Wolfe, Wooding—17.

Absent or not voting: Austin, Fairweather, Fariss, Guilfoil, Hyde, Luce, Thompson (L. F.), Van Houten.

The Senate then resumed its session.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills beg leave to report that Senate bill No. 84, entitled "An act relating to the duties of state treasurer, fixing his salary and providing punishment for violation of this act, and declaring an emergency."

Senate bill No. 12, entitled "An act to establish a State Normal School."

Senate bill No. 161, entitled "An act for the relief of Frank J. Parker for his services as trustee of the School for Defective Youth."

Senate bill No. 236, entitled "An act to provide for the purchase of Barton's Hand-Book and Legislative Manual of Washington, for the use and benefit of the state and state officials, and making an appropriation therefor."

Senate bill No. 217, entitled "An act to establish and define public ways for water crafts across the tide flats within, in front of and for a mile either way from all incorporated cities and towns in the state of Washington," have, on this 27th day of March, 1890, been forwarded to his excellency the governor for his approval.

J. M. SNOW, Chairman.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared, and announced that he was instructed by the House to inform the Senate that the speaker has signed Senate bill No. 223, Granting right-of-way to railroad companies in the state.

Also, Senate concurrent resolution No. 49, Printing certain laws.

Also, Senate bill No. 262, To amend an act to allow school districts to borrow money.

The House has passed Senate bill No. 250, Making appropriation for sundry civil expenses of the state government, with amendments.

The House has passed House bill No. 328, To provide for and establish municipal courts in cities of more than ten thousand.

Senate bill No. 192 was taken up, and the amendments of the House concurred in by the following vote:

Yeas: Baker, Drum, Forsyth, Guilfoil, Houghton, Hunsaker,

Jones, Kinnear, Kneeland, Landes, Lawrence, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Vestal, Wilson, Wood, Wooding—21.

Absent or not voting: Austin, Clough, Fairweather, Fariss, Hyde, Long, Luce, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Watt, Whalley, Wolfe.

Senate bill No. 73 was taken up, and all the House amendments concurred in, except to section 2, by the following vote:

Yeas: Baker, Clough, Drum, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Kinnear, Kneeland, Landes, Lawrence, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Vestal, Watt, Whalley, Wood, Wooding—23.

Absent or not voting: Austin, Fairweather, Fariss, Hyde, Long, Luce, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Wilson, Wolfe.

The Senate refused to concur in the amendments to section 2 as follows:

Yeas: Baker, Drum, Fariss, Forsyth, Guilfoil, Kinnear, Watt —7.

Nays: Clough, Hunsaker, Jones, Kneeland, Landes, Lawrence, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Vestal, Whalley, Wilson, Wood, Wooding—17.

Absent or not voting: Austin, Fairweather, Houghton, Hyde, Long, Luce, Snow, Thompson, (G. T.), Thompson (L. F.), Van Houten, Wolfe.

House bill No. 325, Ship canal for Port Townsend Bay.

Rules suspended, read first and second time by title; read third time, and passed by the following vote:

Yeas: Baker, Clough, Drum, Forsyth, Guilfoil, Houghton, Hunsaker, Hyde, Kinnear, Kneeland, Landes, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Vestal, Whalley, Wilson, Wood, Wooding—23.

Absent or not voting: Austin, Fairweather, Fariss, Jones, Lawrence, Long, Luce, Thompson (G. T.), Thompson (L. F.), Van Houten, Watt, Wolfe.

The emergency clause was passed by the following vote:

Yeas: Baker, Clough, Drum, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Kinnear, Kneeland, Landes, Lawrence, Long, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Vestal, Watt, Whalley, Wilson, Wood, Wooding—26.

Absent or not voting: Austin, Fairweather, Hyde, Luce, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Wolfe.

Senate bill No. 179: The House amendments were concurred in by the following vote:

Yeas: Baker, Clough, Drum, Fariss, Forsyth, Guilfoil, Houghton, Hunsaker, Jones, Kinnear, Kneeland, Landes, Long, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Vestal, Watt, Whalley, Wilson, Wood, Wooding — 26.

Absent or not voting: Austin, Fairweather, Hyde, Lawrence, Luce, Thompson (G. T.), Thompson(L. F.), Van Houten, Wolfe.

House bill No. 121, Relative to loan associations, was passed by the following vote:

Yeas: Baker, Drum, Guilfoil, Houghton, Hunsaker, Jones, Kinnear, Landes, Long, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Watt, Wilson, Wood, Wooding — 20.

Nays: Clough, Fariss, Forsyth, Kneeland, Lawrence, Vestal— 6.

Absent or not voting: Austin, Fairweather, Hyde, Luce, Thompson (G. T.), Thompson (L. F.), Van Houten, Whalley, Wolfe.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared, and announced that he had been instructed by the House to inform the Senate that the House refuses to recede from its amendment to section 2 of Senate bill No. 73, An act to define the duties of secretary of state, and asks for a committee of conference.

Messrs. Judson (of Pierce), Grant, Plummer, Ostrander and Morse were appointed on the part of the House.

Senate bill No. 193, Bridges across navigable streams:

The Senate concurred in all of the House amendments by the following vote:

Yeas: Baker, Clough, Drum, Fariss, Forsyth, Guilfoil, Hunsaker, Jones, Kinnear, Kneeland, Landes, Lawrence, Long, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Vestal, Watt, Whalley, Wilson, Wood, Wooding 26.

Absent or not voting: Austin, Fairweather, Houghton, Hyde, Luce, Thompson (G. T.), Thompson (L. F.), Van Houten, Wolfe.

Senator Whalley moved to reconsider the vote by which the Senate refused to concur in the amendment to section 2 of Senate bill No. 73, and on the question, Shall the Senate concur? the vote resulted in the affirmative as follows:

Yeas: Baker, Clough, Drum, Fariss, Guilfoil, Houghton, Humsaker, Jones, Kinnear, Kreeland, Landes, Long, Owings, Parkinson, Payne, Preston, Rinehart, Vestal, Watt, Whalley, Wilson, Wood, Wooding—23.

Nays: Lawrence, Seaborg—2.

Absent or not voting: Austin, Fairweather, Forsyth, Hyde, Luce, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten, Wolfe.

Senate bill No. 250, the appropriation bill, was taken up, and all of the amendments of the House concurred in by the following vote:

Yeas: Baker, Clough, Drum, Fariss, Forsyth, Guilfoil, Houghton, Humsaker, Jones, Kinnear, Lawrence, Long, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Vestal, Watt, Whalley, Wolfe, Wood, Wooding—24.

Nays: Kreeland, Wilson—2.

Absent or not voting: Austin, Fairweather, Hyde, Landes, Luce, Snow, Thompson (G. T.), Thompson (L. F.), Van Houten.

On motion of Senator Houghton, the Senate, at 6 P. M., adjourned until 9 A. M. to-morrow.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 28, 1890.
10 o'clock A. M.

Senate called to order pursuant to adjournment: president pro tem. in the chair.

Roll call: all present but Senators Hyde and Van Houten, who were excused.

On motion of Senator Wilson, the reading of the journal was dispensed with.

Senator Baker offered the following, which was adopted:

Resolved by the Senate, That the assistant sergeant-at-arms and the janitor be allowed five dollars each for helping to store furniture and other work after adjournment."

On motion of Senator Owings, the Senate took a recess subject to call of the president pro tem.

The Senate reassembled in a half hour.

President pro tem. in the chair.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills begs leave to report that Senate bill No. 192, entitled "An act to authorize cities and incorporated towns to erect and maintain draw-bridges across navigable streams that flow through or penetrate the boundaries of such cities and towns, to grant franchises to persons and corporations to erect toll-bridges across such navigable streams within the corporate limits of such cities and towns, and declaring an emergency," has been carefully compared with the original bill and found correctly engrossed.

J. M. SNOW, Chairman.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills begs leave to report that Senate bill No. 193, entitled "An act to provide for bridges across navigable streams, and across estuaries, ponds, or swamps, or arms of bays that may be outside of the line of navigable waters."

Also, Senate bill No. 218, entitled "An act to create a board of harbor line commissioners, prescribing their duties, and compensation."

Also, Senate bill No. 205, entitled "An act to protect the title of the owners of floating logs, timber and lumber, and declaring an emergency."

Also, Senate bill No. 179, entitled "An act limiting the time within which an action may be brought for the recovery of real estate sold by executors, administrators or guardians, and determining when such sales shall be validated."

Also, Senate bill No. 264, entitled "An act to provide for the printing, distribution and sale of the session laws of 1889 and 1890."

Also, Senate bill No. 233, entitled "An act to define, declare and establish the rights and obligations of telegraph and telephone corporations and companies."

Also, Senate concurrent resolution No. 51, To authorize the secretary of state to procure the publication of the Senate and House journals.

Also, Senate bill No. 133, entitled "An act authorizing railroad corporations to construct branches and extensions for their railroads, and from the railroads of other railroad corporations connecting with their roads, and to consolidate with other railroad corporations."

Also, Senate bill No. 146, substitute, entitled "An act for the relief of bona fide purchasers of school or university lands heretofore sold under authority of laws enacted by the Territory of Washington, and declaring an emergency," and Senate concurrent resolution No. 52, Relative to permitting the introduction of Senate bill No. 264, Providing for the printing, distribution and sale of the session laws of 1889 and 1890, have been carefully compared with the engrossed copies thereof and found correctly enrolled.

J. M. SNOW, Chairman.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he had been instructed by the House to inform the Senate that the House has

concurred in Senate amendment to House bill No. 121, Relative to banking and loan associations, and have ordered the same enrolled.

The speaker has signed House concurrent resolution No. 35, Relative to United States signal corps.

The house has passed House bill No. 314, To establish the office of harbor master.

The House has passed House bill No. 329, In relation to committing persons to the State Reform School, and adopted title.

The speaker has signed House bill No. 177, For revenue, assessment and taxation.

Also, House bill No. 157, Providing for establishment and maintenance of State Reform School, which have passed both houses and been duly enrolled.

The president pro tem. announced that he was about to sign Senate bill No. 205, Senate concurrent resolution No. 52, Senate bill No. 146, Senate bill No. 133, Senate bill No. 192, Senate concurrent resolution No. 51, Senate bill No. 193, Senate bill No. 264, Senate bill No. 179, House concurrent resolution No. 35, Senate bill No. 233, and Senate bill No. 218, which was done.

House bill No. 329, Relative to committing persons to the State Reform School, was read first and second time by title under suspension of the rules, and on motion of Senator Houghton, the bill was indefinitely postponed.

Senator Owings offered Senate concurrent resolution No. 53, Extending thanks of the legislature to the Western Union and Postal Telegraph Companies.

Adopted.

Senator Fairweather offered the following resolution:

Resolved by the Senate of the State of Washington, That the thanks of the body are hereby tendered to the representatives of the press, who have been uniformly fair and just in their reports of the proceedings of the Senate.

Senator Whalley offered Senate concurrent resolution No. 53, Extending the thanks of the legislature to the citizens of Olympia for their uniform courtesy, kindness, hospitality, etc.

Adopted.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he was instructed by the House to inform the Senate that the House has indefinitely postponed all Senate bills not in the hands of conference committees.

The speaker has signed House bill No. 325, Ship canal connecting Port Townsend and Oak bay, which has passed both houses and been duly enrolled.

The speaker has signed House bill No. 90, To establish a state agricultural college.

Also, House bill No. 264, Providing for the sale and leasing of school lands.

The House has adopted Senate concurrent resolution No. 53, Of thanks to the Western Union Telegraph Company and Postal Telegraph Company.

Also, Senate Concurrent resolution No. 55, Relative to a committee to wait upon the governor.

The House has concurred in Senate concurrent resolution No. 54, Expressing gratitude to the people of Olympia, Washington.

The president announced that he was about to sign House bill No. 157, which was done.

Senator Houghton offered Senate concurrent resolution No. 55, To appoint a committee of both houses to wait on the governor and ask him if he had any communication to make to the legislature.

Adopted.

The president pro tem. appointed Senator Houghton on the part of the Senate.

Senator Houghton offered the following, which was adopted:

Resolved, That the thanks of the Senate, and of each member thereof, are due and are hereby tendered to Lieutenant-Governor Laughton for the intelligent, impartial and uniform courteous manner in which he has discharged the duties of his office.

MESSAGES FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, March 28th, 1890.

To the President of the Senate:

I have this day approved and signed the following:

Senate bill No. 161, entitled "An act for the relief of Frank J. Parker, for services as trustee of the School of Defective Youth."

Senate bill No. 217, entitled "An act to establish and define public ways for water crafts across the tide flats within, in front of, and for a mile either way from all incorporated cities and towns in the State of Washington."

Senate bill No. 236, entitled "An act to provide for the purchase of Barton's Hand-Book and Legislative Manual of Washington, for the use and benefit of the state and state officials, and making an appropriation therefor."

Senate bill No. 12, entitled "An act to establish a state normal school."

Senate bill No. 84, entitled "An act relating to the duties of state treasurer, fixing his salary, and providing punishment for violations of this act, and declaring an emergency."

ELISHA P. FERRY.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, March 27th, 1890.

To the President of the Senate:

I have this day approved and signed the following:

Senate bill No. 5, entitled "An act providing for the organization, incorporation and government of municipal corporations, and declaring an emergency."

Senate bill No. 36, entitled "An act to provide for and to regulate the registration of voters in cities and towns, and in precincts having a voting population of two hundred and fifty or more."

Senate bill No. 212, entitled "An act to establish a general uniform system of common schools in the State of Washington, and declaring an emergency."

Senate bill No. 135, entitled "An act relating to the state library."

Senate bill No. 4, entitled "An act to regulate primary elections of voluntary political associations, to punish frauds therein, and declaring an emergency."

Senate bill No. 16, entitled "An act in relation to the organization, powers and duties of the superior courts, and declaring an emergency."

Senate bill No. 207, entitled "An act authorizing the money appropriated by the legislature of the Territory of Washington for the manufacture of grain sacks, approved February 1st, 1888, to be used for other purposes, and declaring an emergency."

Senate bill No. 83, entitled "An act relating to the duties of auditor, and providing for his salary and assistance."

Senate bill No. 220, entitled "An act relating to costs in the superior court."

Senate bill No. 223, entitled "An act granting to railroad corporations the right to bridge the navigable streams of this state, and declaring an emergency to exist."

ELISHA P. FERRY.

Senator Houghton moved that the secretary be instructed to return the communication to the House notifying the Senate of the postponement of all Senate bills, and asking the House to specify them by name and number, so as to keep the record complete.

Adopted.

The president pro tem. announced that he was about to sign House bills Nos. 264, 90 and 325, which was done.

The House has indefinitely postponed Senate bills Nos. 214, 231, 97, 226, 247, 106, 256 and 28, and Senate concurrent resolutions Nos. 25 and 54.

COMMITTEE REPORTS.

MR. PRESIDENT:

Your Standing Committee on Enrolled Bills beg leave to report that Senate bill No. 179, entitled "An act limiting the time within which an action may be brought for the recovery of real estate sold by executors, administrators or guardians, and declaring an emergency."

Also, Senate bill No. 193, entitled "An act to provide for the bridges across navigable streams and across estuaries, ponds, swamps or arms of bays that may be outside of the line of navigable waters."

Also, Senate bill No. 192, entitled "An act to authorize cities and incorporated towns to erect and maintain draw-bridges across navigable streams that flow through or penetrate the boundaries of such cities and towns, to grant franchises to persons or corporations to erect toll bridges across such navigable streams within the corporate limits of such cities and towns."

Also, Senate bill No. 205, entitled "An act to protect the title of the owners of floating logs, timber and lumber, and declaring an emergency."

Also, Senate bill No. 264, entitled "An act to provide for the printing, distribution and sale of the Session Laws of 1889 and 1890."

Also, Senate bill No. 218, entitled "An act to create a board of harbor line commissioners, prescribing their duties and compensation, and declaring an emergency."

Also, Senate bill No. 133, entitled "An act authorizing railroad corporations to construct branches and extensions from the railroads of other railroad corporations with their roads, and to consolidate with other railroad corporations."

Also, Senate bill No. 233, entitled "An act to define, declare and establish the rights and obligations of telegraph and telephone corporations and companies.

Also, Senate bill No. 146, entitled "An act for the relief of bona fide purchasers of school or university lands heretofore sold under authority of laws enacted by the Territory of Washington, and declaring an emergency."

Also, Senate concurrent resolution No. 51, To authorize the secretary of state to procure the publication of Senate and House journals, and Senate concurrent resolution No. 52, Relative to permitting the introduction of Senate bill No. 264, Providing for printing, distribution and sale of session laws of 1889 and 1890, have, on this 28th day of March, 1890, been forwarded to his excellency the governor for his approval.

J. M. SNOW, Chairman.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills begs leave to report that Senate bill No. 250, entitled "An act making appropriations for sundry civil expenses of the state government for the fiscal term beginning November 18th, 1889, and ending March 31st, 1891, and for other purposes," has been carefully compared with the engrossed copy thereof and found correctly enrolled.

J. M. SNOW, Chairman.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he had been instructed by the House to inform the Senate that the speaker has signed House bil No. 294, Relating to foreign corporations, which passed both houses and been duly enrolled.

The speaker has signed Senate bill No. 250, Sundry appropriation. Passed both houses and duly enrolled.

The House has passed Senate concurrent resolution No. 56, Relative to extending thanks to state officers.

The speaker has signed Senate bill No. 193, To provide for bridges across navigable streams.

Also, Senate bill No. 218, Harbor line commission.

Also, Senate bill No. 205, To protect the title of owners of floating logs.

Also, Senate bill No. 179, Limiting the time within which an action may be brought to recover real estate.

The speaker has signed Senate bill No. 264, To provide for printing and distribution of Session Laws of 1889 and 1890.

Also, Senate bill No. 233, To define, declare and establish rights of telegraph and telephone companies.

Also, Senate bill No. 133, Authorizing railroad companies to construct branches, etc.

Also, Senate bill No. 146, For the relief of bona fide purchasers of school and university lands.

The speaker has signed Senate concurrent resolution No. 52, Permitting the introduction of Senate bill No. 264.

Also, Senate concurrent resolution No. 51, To authorize the secretary of state to procure the publication of the Senate and House journals.

Also, Senate bill No. 192, To authorize cities and incorporated towns to erect draw-bridges, etc., all of which have passed both houses, been signed, and the same is herewith transmitted to the Senate for transmission to the governor.

Senator Owings offered Senate concurrent resolution No. 56, Extending thanks to the state officers.

Adopted.

COMMUNICATION FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, March 28, 1890.

To the Honorable the Senate of the State of Washington:

I have appointed O. A. Tiffany, of Lincoln county, as a member of the state board of education, and ask that the Senate advise and consent thereto.

ELISHA P. FERRY.

The president pro tem. announced that he was about to sign Senate bill No. 250, which was done.

On motion of Senator Lawrence, the Senate went into executive session with open doors.

O. A. Tiffany was, on motion of Senator Kinnear, confirmed by the following vote:

Yeas: Austin, Baker, Clough, Drum, Fairweather, Forsyth, Guilfoil, Houghton, Hunsaker, Kinnear, Landes, Lawrence, Long, Luce, Owings, Parkinson, Payne, Preston, Rinehart, Seaborg, Snow, Thompson (L. F.), Vestal, Watt, Whalley, Wilson, Wolfe, Wood, Wooding—29.

Absent or not voting: Fariss, Hyde, Jones, Kneeland, Thompson (G. T.), Van Houten.

The Senate then resumed its session.

COMMUNICATION FROM THE PRESIDENT.

The president pro tem. read the following communication from Lieutenant-Governor Laughton, president of the Senate, who was confined to his home by sickness:

To the Senate of the State of Washington:

GENTLEMEN—My illness debars me from the pleasure of being present with you at the close of this, the first session of the legislature of the State of Washington. How deeply I regret this affliction I cannot adequately express, and I am obliged, in this seemingly cold manner, to tender you my congratulations upon the results of your labors of this session. You have made, by your uniform courtesy, by your tolerance and by your gentle forbearance, that which might have been a task, a pleasure; and by your intelligent consideration of every and all perplexing questions which have arisen in the process of formulating a code of laws for the government of a new state, the duty of presiding over your deliberations has been merely a perfunctory one, devoid of embarrassments and attended with only the pleasantest remembrance. For the unvarying, kindly consideration which I have received at your hands, I thank you; and my appreciation of this is as deep as the seat of thought itself. I desire further to express my deep obligation for the

earnest co-operation and ever ready assistance extended me by our most efficient secretary, assistant secretary, sergeant-at-arms, assistant sergeant-at-arms and others of the official and clerical force. And when the gavel falls, marking the severance of our official relations, I beg to assure you, each and every one, with no exception, of my warmest affection, respect and esteem, feeling assured that when your constituents are as fully acquainted as I am of the fidelity of your labors, that you will receive at their hands that consideration which you have earned and which you so eminently deserve. I have the honor to be, gentlemen,

Your most obedient servant,

CHAS. E. LAUGHTON.

On motion of Senator Houghton, the communication was ordered to be spread on the journal.

The president pro tem. announced that he was about to sign House bill No. 294, which was done.

COMMITTEE REPORT.

The Committee on Enrolled Bills presented the following:

OLYMPIA, March 28, 1890.

Hon. J. M. Snow, Chairman Committee on Enrolled Bills:

SIR—The total number of extra days' work done in enrolling bills and on journal is 78¼, and the amount due therefor is $391.25.

Very respectfully,

J. G. MCCLINTON,
Supervisor Enrolling Department.

J. M. SNOW,
Chairman Enrolling Committee.

EXTRA TIME IN SENATE—ENROLLING AND JOURNAL WORK.

NAMES.	MARCH. Fri., 21	Sat., 22	Sun., 23	Mon., 24	Tue., 25	Wed., 26	Thur., 27	Fri., 28	TOTALS.	
Mrs. Lampkin			1	1	1	1	1		5	$25 00
Mr. Crisman		1	1	2	2	2	½	1	9½	47 50
Mr. Lazier				2	2	2	1½	1	8½	42 50
Mrs. Deane				2	2	1	1¼	1	7¼	36 25
Miss Brown				2	1	1	1		5	25 00
Miss Tarbell				2	2	2	½		6½	32 50
Miss Carson				1	1	1		1	4	20 00
Mr. Mitchell	1	1	1	1	1	1	1		7	35 00
Mr. McClinton	1	1	1	1	1	1			6	30 00
Miss Howell	1	1	1	1	1	1			6	30 00
Mr. Burr				1	2	2	½	1	6½	32 50
Miss Sylvester		1		1	1	1	1		5	25 00
Mrs. Gage							1		1	5 00
C. V. Leach							1		1	5 00
Total									78¼	$391 25

STATE OF WASHINGTON, SENATE CHAMBER.
OLYMPIA, Wash., March 28, 1890.

To the Honorable the Senate of the State of Washington:

I have this day appointed Thomas J. Smith, of Whitman county; E. C. Ferguson, of Snohomish county, and Edward Whitson, of Yakima county, as members of the commission of technical instruction; Thomas J. Smith for the term of five years, E. C. Ferguson for the term of three years, and Edward Whitson for the term of one year.

ELISHA P. FERRY.

On motion of Senator Lawrence, the Senate went into executive session with open doors.

On motion of Senator Guilfoil, the nominations were confirmed by the following vote:

Yeas: Austin, Forsyth, Guilfoil, Hunsaker, Jones, Kinnear, Kneeland, Lawrence, Luce, Owings, Parkinson, Preston, Rinehart, Seaborg, Snow, Thompson (G. T.), Vestal, Whalley, Wilson, Wolfe, Wood, Wooding -- 21.

Absent or not voting: Baker, Clough, Drum, Fairweather, Fariss, Houghton, Hyde, Landes, Long, Payne, Thompson (L. F.), Van Houten, Watt.

The Senate then resumed regular session.

COMMITTEE REPORT.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills begs leave to report that Senate concurrent resolutions Nos. 53, 54, 55 and 56 have been carefully compared with the original copies thereof and found correctly enrolled, and have been this day delivered to the secretary of state.

J. M. SNOW, Chairman.

MR. PRESIDENT:

Your standing Committee on Enrolled Bills beg leave to report that they have presented the last Senate bill in their possession.

Also, Senate bill No. 73, entitled "An act to define the duties and provide for assistance for and fix the compensation of the secretary of state," has been carefully compared with the engrossed copy thereof, and found correctly enrolled.

J. M. SNOW, Chairman.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he had been instructed by the House to inform the Senate that the speaker has signed House bill No. 301, Classifying counties according to population, enumerating county affairs, and fixing salaries thereof; passed both houses and been duly enrolled.

The speaker has signed Senate concurrent resolutions Nos. 53, 54, 55 and 56, and Senate bill No. 73, To define duties and provide for assistance for and fix compensation of secretary of state.

The president pro tem. announced that he was about to sign Senate concurrent resolutions Nos. 56 and 55, Senate bill No. 73, Senate concurrent resolutions Nos. 54 and 53, and House bill No. 301, which was done.

Senator Rinehart offered the following:

Resolved, That the thanks of the Senate are due and are hereby tendered to our worthy president pro tem. for the uniform courtesy and forbearance with which he has presided over our deliberations, and our best wishes for his prosperity will follow him wherever his lot may be cast.

Adopted.

Senator Austin offered the following:

Be it resolved by the Senate of the State of Washington, That the thanks of the Senate are hereby extended to the secretary, C. M. Barton, for the able and courteous manner in which he has performed the duties of said office, and as a further evidence of our appreciation of his services, that he accept the accompanying present (a gold watch) from the members of the Senate.

Adopted.

COMMITTEE REPORTS.

MR. PRESIDENT.

Your standing Committee on Enrolled Bills beg leave to report that Senate bill No. 250, entitled "An act making appropriations for sundry civil expenses of the state government for the fiscal term beginning November 18, 1889, and ending March 31, 1891, and for other purposes."

Senate bill No. 73, entitled "An act to define the duties, and provide for assistance for, and fix the compensation of the secretary of state, have, on this 28th day of March, 1890, been forwarded to his excellency the governor for his approval. J. M. SNOW, Chairman.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared and announced that he had been instructed by the House to inform the Senate that the speaker has signed House bill No. 121, Relating to building, loan and saving associations, passed both houses and duly enrolled.

Senator Hunsaker offered the following:

Resolved, That the Senate inform the House of Representatives that they are now ready to adjourn sine die.

The secretary so informed the house.

The president pro tem. announced that he was about to sign House bill No. 121, which was done.

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, March 28, 1890.

To the President of the Senate:

I have this day signed and approved the following:

Senate bill No. 218, entitled "An act to create a board of harbor line commissioners, prescribing their duties and compensation."

Senate bill No. 264, entitled "An act to provide for the printing, distribution and sale of the Session Laws of 1889–1890."

Senate bill No. 250, entitled "An act making appropriations for sundry civil expenses of the state government for the fiscal term beginning November 18, 1889, and ending March 31, 1891, and for other purposes."

Senate bill No. 192, entitled "An act to authorize cities and incorporated towns to erect and maintain draw-bridges across navigable streams that flow through or penetrate the boundaries of such cities, and to authorize such cities and towns to grant franchises to persons and corporations to erect toll-bridges across such navigable streams within the corporate limits of such cities and towns, and declaring an emergency."

Senate bill No. 205, entitled "An act to protect the title of floating logs, timber and lumber, and declaring an emergency."

ELISHA P. FERRY.

MESSAGE FROM THE HOUSE.

The chief clerk of the House appeared, and announced that he had been instructed to inform the Senate that the House had no further business, and ask if the Senate had any further message for the House.

The hour of 12 M. having arrived, Senator Rinehart moved an adjournment sine die, which was adopted, and the president pro tem. of the Senate declared the Senate of the first Legislature of Washington so adjourned.

CLARENCE M. BARTON,
Secretary of the Senate.